



MESSAGES OF THE PRESIDENT
JOSEPH EJERCITO ESTRADA

1998-2001

BOOK 13 | VOLUME 4

Executive Orders Part 2



President Joseph Ejercito Estrada, Thirteenth President of the Philippines and Third President of the Fifth Republic.



MESSAGES OF THE PRESIDENT

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Volume 4 Part 2
Presidential Communications Development and Strategic Planning Office

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Volume 4 Part 2

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INTRODUCTION

As the President's chief message-crafting body, the Presidential Communications Development and Strategic Planning Office (PCDSPO), is mandated to provide strategic communication leadership and support to the Executive Branch, its composite agencies, and instrumentalities of government.

The PCDSPO is also mandated to act as custodian of the institutional memory of the Office of the President. One of our projects is the continuation of the series of books called the Messages of the President, started in 1936 by Jorge B. Vargas, Executive Secretary to President Manuel L. Quezon. The series was a wide collection of executive issuances, speeches, messages, and other official papers of the President. The volumes were intended to serve as the definitive compilation of presidential documents. The series was continued until the Quirino administration, although the series for the Presidential administrations of Presidents Quezon, Roxas, and Quirino were never completed.

In 2010, President Benigno S. Aquino III ordered the revival of the series and the constitution of a complete set, covering all 15 presidential administrations. With pride, we continue what Vargas began.

We would like to extend our gratitude to our partners for without whose gracious cooperation, this project would have not been possible.

A note on organization: Each presidential administration's messages are in book form, compiled and subdivided into volumes. The books are as follows:

- Book 1: Emilio Aguinaldo
- Book 2: Jose P. Laurel
- Book 3: Manuel L. Quezon
- Book 4: Sergio Osmeña
- Book 5: Manuel Roxas
- Book 6: Elpidio Quirino
- Book 7: Ramon Magsaysay
- Book 8: Carlos P. Garcia
- Book 9: Diosdado Macapagal
- Book 10: Ferdinand E. Marcos
- Book 11: Corazon C. Aquino
- Book 12: Fidel V. Ramos
- Book 13: Joseph Ejercito Estrada
- Book 14: Gloria Macapagal-Arroyo
- Book 15: Benigno S. Aquino III

Each book is subdivided into the following volumes:

- Volume 1: Official Weeks/Months in Review
 - Volume 2: Appointments and Designations
 - Volume 3: Historical Papers and Documents
 - Volume 4: Executive Orders
 - Volume 5: Administrative Orders
 - Volume 6: Proclamations
-

Volume 7: Other issuances

Volume 8: Cabinet minutes

We hope that this collection will be a useful and vital reference for generations to come.

PREFACE

On July 30, 2010, President Benigno S. Aquino III issued Executive Order No. 4, which effectively renamed what was previously called the Malacañang Museum into the Presidential Museum and Library (PML) and placed it under the supervision and control of the Presidential Communications Development and Strategic Planning Office (PCDSPO). The PML is responsible for preserving, managing, and promoting the history and heritage of the Philippine presidency. It is the principal historical and artistic repository in support of the institution of the presidency, for the benefit of the Republic and the Filipino people. In partnership with the PCDSPO, which has pioneered the publication of the Official Gazette of the Republic of the Philippines as a web archive and information website, the PML has taken this mandate and placed it on the cutting edge of the information age.

Much has been done over the past years, under the administration of President Aquino III, to digitize executive issuances, speeches, letters, and other presidential papers; and publish them online. The project is not limited to a single administration, nor does it discriminate. This collection, published as databases, as well as print and e-publications, includes documents from the presidency of Emilio Aguinaldo to the current Aquino administration. This represents the government's allegiance to transparency, continuity, and the fostering of an informed citizenry, as well as an effort, in earnest, to preserve the institutional memory of the Presidency. All this was done not just for the posterity, but for the current generation and the ongoing task of nation building.

The PML are proud partners of the Official Gazette and PCDSPO team, to whom we made the collections available. We sincerely hope that this series will serve as a vital reference to educators, students, journalists, lawyers, historians, and the public at large.

FOREWORD

This is the fourth volume of President Joseph Ejercito Estrada's official papers, which constitutes the 13th book of the Messages of the President series. The series was started in 1936 by Executive Secretary Jorge B. Vargas, during the first year in office of Manuel L. Quezon, the first President of the Commonwealth of the Philippines. This volume collects President Estrada's Executive Orders, which provide for rules of a general or permanent character in implementation or execution of constitutional or statutory powers.

BOOK 13

PRESIDENT JOSEPH EJERCITO ESTRADA

President Joseph Ejercito Estrada was the thirteenth President of the Philippines and was the third President of the fifth Republic. He assumed office on June 30, 1998 due to allegations of corruption that resulted to impeachment trial, the administration of President Joseph Ejercito Estrada was peacefully overthrown by People Power II. He was President until January 20, 2001.

The Executive Issuances of President Joseph Ejercito Estrada began with Administrative Order No. 1 and Memorandum Order No. 1, signed on June 30, 1998 and ended with Memorandum Order No. 135 which was signed on January 16, 2001.

President Joseph Ejercito Estrada's documents were gathered from its official sources such as the Official Gazette of the Philippines; Malacañang Records Office's Book of Executive Issuances; SONA Technical Report; and from the website archive.org.

The American Psychological Association (APA) style was used for the citation. The titles that have been provided by the researchers are enclosed in square brackets, considering that the exact wordings and its order were not verbatim from the document being described. Book titles are italicized while the speech titles are not. If in any case that the book title is the same as the title of the speech, it is transcribed in italics because it is the book title.

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General Raymundo Jarque and Ombudsman Aniano Desierto is reconciled by President Joseph Ejercito Estrada, upon the President's plea for a unified team amidst warring political factions.



MESSAGES OF THE PRESIDENT

JOSEPH EJERCITO-ESTRADA

1998-2001

BOOK 13 | VOLUME 4
Executive Orders Part 2



The government's thrust to encourage foreign investments in the country was given a much-needed boost in a dinner hosted by Metrobank chairman George S.K. Ty and Metrobank President Antonio Abacan Jr. With President Joseph Ejercito Estrada is U.S. Ambassador Thomas Hubbard.

EXECUTIVE ORDERS

An Executive Order provides for rules of a general or permanent character in implementation or execution of constitutional or statutory powers. The Executive Orders of President Joseph Ejercito Estrada began on August 7, 1998 with Executive Order No. 1 and ended on January 10, 2001 with Executive Order No. 338.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 169
CREATING A SPECIAL COMMITTEE TO TAKE CHARGE OF PLANNING AND EXECUTION
OF ACTIVITIES FOR NATIONAL DAY OF PRAYER AND FASTING FOR NATIONAL
STRENGTH AND UNITY AGAINST ALL ADVERSITIES

WHEREAS, Presidential Proclamation No. 47 signed on the 14th day of November 1998 declared the second day of Saturday of November every year a National Day of Prayer and Fasting for National Strength and Unity against all Adversities;

WHEREAS, the second Saturday of November for the year 1999 falls on the 13th day of November;

WHEREAS, to ensure the successful observance of this day, there is a need to create a special committee to take charge of the planning and execution of the activities for said date and to declare 13th November 1999 as a Special Public Holiday; and

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby declare the 13th day of November 1999 as a special Public Holiday, to allow everyone to solemnly observe this Special Day for Prayer and Fasting for National Strength and Unity against all Adversities.

There is also hereby created a special Committee to formulate plans and devise ways and means for the successful execution of appropriate activities and ceremonies for the observance of the National Day of the Prayer and Fasting for National Strength and Unity Against All Adversities. The Committee shall be composed of the following:

Secretary, Department of Education Culture and Sports	Co-Chairman
Secretary, Department of Justice	Co-Chairman
Secretary, Department of Labor and Employment	Member
Secretary, Department of the Interior And Local Government	Member
Press Secretary	Member
Four (4) Representatives of various religious, ecclesiastical and ecumenical organizations and communities	Members

The Co-Chairmen are authorized to request all government offices and agencies to assist in the discharge of the Committee's functions and duties and to designate such personnel as they may require for the purpose.

All our people are requested, in the company of their loved ones, in their churches and in their homes, to fast and to observe moments of prayer for peace, for continuing strength in the midst of adversities, and for the alleviation of the plight of those who have suffered in these adversities, in such appropriate activities and ceremonies to be organized by the Special Committee in the Quirino Grandstand, Luneta, Manila.

All national and local publications and television and radio stations are requested to participate in generating awareness and disseminating information on the themes and activities in relation to this National Day of Prayer and Fasting for National Strength and Unity Amidst All Adversities.

IN WITNESS WHEREOF, I have set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 25th day of October, in the Year of our Lord, Nineteen Hundred and Ninety-Nine.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1999). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 170
ESTABLISHING THE REVOLVING FUND FOR HOUSING PROJECTS
OF LOCAL GOVERNMENT UNITS

WHEREAS, housing is one of the fundamental needs of the nation's poor;

WHEREAS, the national government supports the initiatives of local government units to provide decent and affordable housing for their low-income constituents;

WHEREAS, the government's main thrust is to eradicate poverty by providing support services to the poor and the local government units that assist them;

WHEREAS, the local government units need to harness enormous resources to help the poor;

WHEREAS, the devolution of powers from the national government to the local governments also requires the decentralization of financial resources;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the establishment of the REVOLVING FUND for the HOUSING PROJECTS of the LOCAL GOVERNMENT UNITS.

The FUND shall be in the initial amount of ONE HUNDRED MILLION PESOS (P100,000,000.00) to be made available to the first ten local governments who submit a concrete Housing Project with identified poor beneficiaries at a maximum amount of TEN MILLION PESOS (P10,000,000.00) per LGU.

The FUND shall be administered by the Housing and Urban Development Coordinating Council.

This Order takes effect immediately.

Done in the City of Manila, this 25th day of October, in the Year of Our Lord, Nineteen Hundred and Ninety-Nine.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1999). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 171
DECLARING AND DELINEATING THE DUMANGAS PORT ZONE UNDER THE
ADMINISTRATIVE JURISDICTION OF THE PHILIPPINE PORTS AUTHORITY

WHEREAS, the Port of Dumangas has been identified as one of the major ports to be developed in the country;

WHEREAS, there is a need to expand the Port of Dumangas to accommodate projected increases in port traffic and to program the development of the necessary port facilities to support the demands of the shipping trade within the region;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The territorial jurisdiction of the Port of Dumangas is hereby expanded and particularly described as follows:

“Beginning at point marked 1 on the plan, thence to point 2 at a distance of 500.00m with bearing N40°30’ W, thence to point 3 at a distance of 1,600.00m with bearing S49°30’ W, thence to point 4 at a distance of 1,500.00m with bearing S40°30’ E, thence to point 5 at a distance of 1,600.00m with bearing N49°30’ E, thence to point 1, the point of beginning at a distance of 1,000.00m with bearing N40°30’ W, all in all comprising a total area of 2,400,000.00 sq. m. more or less.”

SEC. 2. The Dumangas Port Zone, as expanded, is hereby placed under the administrative jurisdiction of the Philippine Ports Authority, which shall, consistent with the regional industrial plans of the Government, implement a program for the proper zoning, planning development and utilization of the port.

SEC. 3. All other orders, proclamations and issuances or portions thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 4. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 25th day of October, in the year of our Lord, nineteen hundred and ninety nine.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1999). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 172
DECLARING AND DELINEATING THE DUMAGUIT PORT ZONE UNDER THE
ADMINISTRATIVE JURISDICTION OF THE PHILIPPINE PORTS AUTHORITY

WHEREAS, the Port of Dumaguit is one of the major and busiest ports in the country;

WHEREAS, there is a need to expand the Port of Dumaguit for planning purposes to accommodate projected increases in port traffic and to program the development of the necessary port facilities to support the demands of the shipping trade within the region;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The territorial jurisdiction of the Port of Dumaguit is hereby expanded and particularly described as follows:

“Beginning at point marked 1 on the plan, thence to point 2 at a distance of 32.00m with bearing N 58°30' W, thence to point 3 at a distance of 28.20m with bearing N 49°00' W, thence to point 4 at a distance of 150.00m with bearing S 68°00' W, thence to point 5 at a distance of 900.00 m with bearing S 22°00' W, thence to point 6 at a distance of 307.56m with bearing S 64°05' E, thence to point 7 at a distance of 890.00m with bearing N 22°00' E, thence to point 1, the point of beginning at a distance of 100.00m with bearing N 58°30' W, all in all comprising a total area of 276,642.22 sq. m. more or less.”

SEC. 2. The Dumaguit Port Zone, as expanded, is hereby placed under the administrative jurisdiction of the Philippine Ports Authority, which shall, consistent with the regional industrial plans of the Government, implement a program for the proper zoning, planning, development and utilization of the port.

SEC. 3. All other orders, proclamations and issuances or portions thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 4. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 25th day of October, in the year of our Lord, nineteen hundred and ninety nine.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1999). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 173

DECLARING AND DELINEATING THE SAN JOSE DE BUENAVISTA PORT ZONE UNDER THE ADMINISTRATIVE JURISDICTION OF THE PHILIPPINE PORTS AUTHORITY

WHEREAS, the Port of San Jose de Buenavista has been identified as one of the major ports to be developed in the country;

WHEREAS, there is a need to expand the Port of San Jose de Buenavista to accommodate projected increases in port traffic and to program the development of the necessary port facilities to support the demands of the shipping trade within the region;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines by virtue of the powers vested in me by law, do hereby order;

SECTION 1. The territorial jurisdiction of the Port of San Jose de Buenavista is hereby expanded and particularly described as follows:

“Beginning at point marked 1 on the plan at a distance of 305.49m with bearing S 37°47’W from BLLM No. 2, San Jose Cadastre, thence to point 2 at a distance of 800.00m with bearing S 35°00’ E, thence to point 3 at a distance of 650.00m with bearing S 55°00’ W, thence to point 4 at a distance of 603.34m with bearing N 35°00’W, thence to point 5 at a distance of 208.64m with bearing N 39°26’ E, thence to point 6 at a distance of 2.85m with bearing N 20°21’ E, thence to point 7 at a distance of 8.08m with bearing N 3°50’ W, thence to point 8 at a distance of 129.80m with bearing N 34°53’ E, thence to point 9 at a distance of 84.83m with bearing N 35°56’ E, thence to point 10 at a distance of 20.99m with bearing N 45°15’ E, thence to point 11 at a distance of 23.03m with bearing N 38°57’ E, thence to point 12 at a distance of 57.76m with bearing N 5°40’ E, thence to point 13 at a distance of 46.15m with bearing N 42°46’ E, thence to point 14 at a distance of 20.77m with bearing N 40°48’ E, thence to point 15 at a distance of 7.88m with bearing N 50°21’ E, thence to point 16 at a distance of 29.28m with bearing N 52°41’ E, thence to point 17 at a distance of 14.74m with bearing N 62°58’ E, thence to point 18 at a distance of 5.31m with bearing N 79°28’ E, thence to point 19 at a distance of 21.91m with bearing N 63°35’ E, thence to point 1, the point of beginning at a distance of 16.82m with bearing N 65°47’ E, all in all comprising a total area of 463,238.00 sq. m. more or less.”

SEC. 2. The San Jose de Buenavista Port Zone, as expanded, is hereby placed under the administrative jurisdiction of the Philippine Ports Authority, which shall, consistent with the regional industrial plans of the Government, implement a program for the proper zoning, planning, development and utilization of the port.

SEC. 3. All other orders, proclamations and issuances or portions thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 4. This Executive Order shall take effect immediately.

DONE in the City of Manila, this, 27th day of October, in the year of our Lord, nineteen hundred and ninety nine.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1999). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 174

FURTHER AMENDING ADMINISTRATIVE ORDER (AO) NO. 266 DATED 07 FEBRUARY 1992, AS AMENDED BY ADMINISTRATIVE ORDER NO. 138 DATED 19 JULY 1994, CREATING THE ONE-STOP SHOP INTER-AGENCY TAX CREDIT AND DUTY DRAWBACK CENTER (CENTER)

WHEREAS, the One-Stop Shop Inter-Agency Tax Credit and Duty Drawback Center (CENTER) was created to achieve an expeditious and orderly processing of tax credit and duty drawback being granted to qualified exporters;

WHEREAS, Administrative Order No. 266 authorizes the CENTER to collect appropriate fees from the processing of tax credit and duty drawback applications and to use the income derived therefrom to enhance the effectiveness and efficiency of the CENTER;

WHEREAS, the CENTER needs some flexibility in the use of appropriate fees collected as authorized in AO 266 to be able to respond appropriately to its mandate and to other pressing challenges;

WHEREAS, establishing a CENTER Trust Fund is necessary to carry out the mandate of AO 266;

WHEREAS, the CENTER Trust Fund can be sourced from the collections made since the creation of the CENTER in 1992 pursuant to AO 266;

WHEREAS, under Section 45 of Book VI of EO 292, a Permanent Committee was constituted to be composed of the Secretary of Finance as Chairman, and the Secretary of Budget and the Chairman, Commission on Audit, as members;

WHEREAS, there are ongoing investigations of the alleged tax credit scam in the CENTER which require the full support and assistance of the various agencies of government;

WHEREAS, the CENTER is embarking on special programs and projects to recover tax credits obtained through fraud, to investigate said fraudulent claims with the end view of prosecution of those involved, and to attract and maintain highly competent personnel to carry out the foregoing tasks;

WHEREAS, the CENTER is establishing control measures to safeguard the processing and issuance of tax credits by setting up verification unit, computerization, institutionalizing annual plant visits and post audits as mandated by AO 226;

WHEREAS, in pursuit of these special programs and projects, the CENTER under Executive Order No. 156, dated October 7, 1999 was made a part of a special task force, funding of said task force to be drawn from the CENTER as specified in Section 7, EO 156;

NOW, THEREFORE, I, PRESIDENT JOSEPH EJERCITO ESTRADA, by virtue of the powers vested in me by law, do hereby order the following:

Section 1. Trust Fund Creation. A CENTER Trust Fund is hereby created and established which shall be sourced from the appropriate fees collected from processing of tax credit and duty drawback applications to be recorded and disbursed in accordance with such rules and regulations as may be determined by the Permanent Committee created under section 45 of Executive Order No. 292, otherwise known as the Administrative Code of 1987.

Section 2. **Trust Fund Utilization.** The CENTER Trust Fund may be expended to enhance its efficiency and effectiveness, particularly for the following purposes:

- a. Computerization of the operation of the CENTER;
- b. Institutionalization of post audit procedures and processes
- c. Verification processes of tax credit and duty drawback applications;
- d. Conduct of plant/company inspections;
- e. Fraud investigations and prosecutions, including provisions for the support of the operation of the task force created under Section 7 of EO 156, dated October 7, 1999;
- f. Training and programs to enhance the capability and competence of personnel and staff, including those detailed with the CENTER;
- g. Information dissemination and campaign to the public on tax credit and duty drawback schemes, policies and issues.
- h. Networking with other government agencies, International Organizations and private sector groups and entities in connection with tax credit and duty drawback matters;
- i. Such other activities and programs, as may be deemed appropriate by the Executive Committee, to enhance the efficiency and effectiveness of the CENTER including but not limited to allowances, overtime pays, and hazard pays to its members and staff including employees of other government agencies assigned to the CENTER;

Section 3. The Executive Committee of the CENTER shall be composed of representatives from the following agencies:

Chairman:	Department of Finance
Members:	The Board of Investments
	The Bureau of Customs
	The Bureau of Internal Revenue
	The CENTER Executive Director

The CENTER shall invite representatives from the Industrial Technology Development Institute, Bureau of Export Trade Promotions, Garments and Textile Export Board, Government Financial Institutions, and other concerned government agencies, as well as representatives from the private sector as Consultants.

Section 4. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 3rd day of November, in the year of Our Lord, Nineteen Hundred and Ninety-Nine.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1999). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 175
ORGANIZATIONAL RESTRUCTURING OF THE BUREAU OF INTERNAL REVENUE TO
IMPROVE ADMINISTRATIVE CONTROL OVER CERTAIN CATEGORIES OF TAXPAYERS

WHEREAS, increased revenue collection is urgently needed to finance vital economic and developmental programs of the government and, to attain fiscal stability in the midst of the current Asia's economic crisis;

WHEREAS, pursuant to these goals, a further streamlining of the organizational structure of the Bureau of Internal Revenue is in order to reinforce the tax administration and enforcement capabilities of the Bureau;

WHEREAS, certain deficiencies in the structure of the Bureau under Executive Order No. 430 require further strengthening and refinement through a focus on core operational functions such as collection, assessment and enforcement, including regulatory functions relative to excise tax administration;

WHEREAS, there is a need for a well-defined institutional structure for dealing with large taxpayers in order to strengthen control over large taxpayers;

WHEREAS, this streamlining of the organizational structure of the Bureau is intended to truly transform the Bureau into an effective and efficient revenue collecting agency;

WHEREAS, Section 3, Article XVIII of the Philippine Constitution, grants the President of the Philippines the continuing authority to reorganize the national government, which includes the power to group, consolidate bureaus and agencies, to abolish offices, to transfer functions, to create and classify functions, services and activities; and which authority was upheld by the Supreme Court in G.R. No. 112745 relative to Presidential Decree Nos. 1416 and 1792, [October 16, 1997];

WHEREAS, under Section 78 of the General Provisions of Republic Act No. 8522 or the General Appropriations Act, FY 1998, organizational changes may be authorized when the President of the Philippines so directs;

WHEREAS, under Section 20, Book III of the Revised Administrative Code of 1987, the President is empowered to exercise such other powers and functions vested in him which are provided for under the laws;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the power vested in me by law, do hereby order:

SECTION 1. Organizational Structure. The organizational structure of the BIR shall be as follows:

The **National Office** shall develop and formulate broad national tax administration policies and programs, for efficient and effective implementation of internal revenue laws and regulations and establish general direction, guidance and control of the entire operations of the internal revenue service.

1.1 The following Services shall be placed directly under the **Office of the Commissioner**:

The **Enforcement Service**, which shall be headed by an Assistant Commissioner, shall be composed of two (2) divisions namely: Tax Fraud Division and Policy Cases Division.

.1.2 The **Policy and Planning Service**, which shall be headed by an Assistant Commissioner, shall be composed of four (4) divisions namely: Planning Division, Management Division, Statistics Division and Corporate Communications Division.

.1.3 The **Large Taxpayers Service**, which shall be headed by an Assistant Commissioner, shall be composed of five (5) divisions in the National Office namely: Large Taxpayers Assistance Division, Large Taxpayers Collection and Enforcement Division, Large Taxpayers Assessment Division, Large Taxpayers Programs Division and Large Taxpayers Document Processing and Quality Assurance Division. Likewise, Large Taxpayers Division under the direct supervision of Large Taxpayers Service shall be established in Regional Offices with identified Large Taxpayers.

1.2 The **Operations Group**, which shall be supervised by a Deputy Commissioner, shall be composed of the following Services:

1.2. The **Taxpayer Assistance Service**, which shall be headed by an Assistant Commissioner, shall be composed of two (2) divisions namely: Taxpayer Information and Education Division and Taxpayer Service Programs and Monitoring Division.

The **Assessment Service**, which shall be headed by an Assistant Commissioner, shall be composed of three (3) divisions namely: Assessment Programs Division, Audit Information, Tax Exemption and Incentives Division and Asset Valuation Division.

The **Collection Service**, which shall be headed by an Assistant Commissioner, shall be composed of four (4) divisions namely: Collection Programs Division, Withholding Tax Division, Revenue Accounting Division and Collection Enforcement Division.

1.2.4 The **Excise Taxpayers Service**, which shall be headed by an Assistant Commissioner, shall be composed of four (4) divisions namely: Excise Taxpayers Assistance Division, Excise Taxpayers Operations Division, Excise Taxpayers Programs Division and Excise Taxpayers Document Processing and Quality Assurance Division.

.3 The **Legal and Inspection Group**, which shall be supervised by a Deputy Commissioner, shall be composed of the following Services:

The **Legal Service**, which shall be headed by an Assistant Commissioner, shall be composed of five (5) divisions namely: Law Division, Appellate Division, Litigation Division, Prosecution Division and International Tax Affairs Division.

1.3.2 The **Inspection Service**, which shall be headed by an Assistant Commissioner, is hereby re-established. It shall be composed of three (3) divisions namely: Internal Security Division, Internal Audit Division and Personnel Inquiry Division.

4 The **Information Systems Group**, which shall be supervised by a Deputy Commissioner, shall perform such functions to support the Bureau's operations. It shall be composed of the following Services:

The **Information Systems Operations Service**, which shall be headed by an Assistant Commissioner, shall be composed of two (2) divisions namely: Systems Operations Division and Systems Support Division.

The **Information Planning and Quality Service**, which shall be headed by an Assistant Commissioner, shall be composed of three (3) divisions namely: Security Management Division, Quality Assurance Division and Systems Standards and Technology Management Division.

The **Information Systems Development Service**, which shall be headed by an Assistant Commissioner, shall be composed of two (2) divisions namely: Systems Development Division and Systems Maintenance and Support Division.

- 1.5 The **Resource Management Group**, which shall be supervised by a Deputy Commissioner, shall perform such functions to support the Bureau's operations. It shall be composed of the following Services:

The **Human Resource Development Service**, which shall be headed by an Assistant Commissioner, shall be composed of four (4) divisions namely: Personnel Division, Training Management Division, Training Delivery Division and Medical, Dental and Welfare Division.

The **Financial and Administrative Service** which shall be headed by an Assistant Commissioner, shall be composed of six (6) divisions namely: Budget Division, General Services Division, Accounting Division, Procurement Division, Accountable Forms Division and Records Management Division.

2. The **Regional Offices (ROs)** shall execute and implement the national policies and programs prescribed by the National Office for the enforcement of the internal revenue laws of the Philippines. The ROs shall report to the Deputy Commissioner for Operations Group.
2. Each **RO** shall be headed by a Regional Director and shall have supervision and control over all divisions namely: Assessment Division, Collection Division, Legal Division, Finance Division, Administrative Division, Special Investigation Division and Revenue District Offices (RDOs) within the Region. The RO shall be responsible for directing and coordinating their operations.
- 2.2 The **RDOs** shall have supervision and control over the sections within the District.
3. The **Revenue Data Centers (RDCs)** shall be responsible for the operation, management, security and maintenance of the distributed information systems; and ensuring the integrity of payment data transaction upload to the Integrated Tax System (ITS) database. The RDCs shall report to the Deputy Commissioner for Information Systems Group and shall coordinate with the Regional Directors of the revenue regions and Revenue District Officers of the district offices that they service. Each RDC shall be headed by a Revenue Data Center Head equivalent to the rank of a Director I. Its shall be composed of two (2) divisions namely: Facilities Management Division and Computer Operations, Network and Engineering Division.

SECTION 2. Appointment of Officials and Personnel. All Deputy Commissioners, Assistant Commissioners, Regional Directors, Revenue Data Center Heads and other holders of Director I position shall be appointed by the President, upon the recommendation of the Commissioner, and

approval of the Secretary of Finance. All other personnel appointments shall be made by the Secretary of Finance, based on but not restricted to the recommendation made by the Commissioner.

SECTION 3. Redeployment of Personnel. The redeployment of officials and other personnel on the basis of the structural realignment embodied in this Executive Order shall not result in the diminution in rank and compensation of existing personnel and shall take into account pertinent Civil Service laws and rules.

On the basis of the organizational changes in this Executive Order, the Commissioner shall, upon approval of the Secretary of Finance, submit to the Department of Budget and Management (DBM) for evaluation and final approval the resultant staffing pattern of the BIR.

SECTION 4. Implementing Authority. With the approval of the Secretary of Finance, the Commissioner is hereby authorized to determine the number of Regional Offices, Revenue Data Centers and Revenue District Offices consistent with the requirements of the Computerized Integrated Tax System (CITS) and the principles of economy, efficiency and effectiveness. The Commissioner is likewise authorized to organize such units under the Services and Offices authorized under this Executive Order, subject to DBM evaluation.

SECTION 5. Transfer of Presidential Appointees. The Commissioner of Internal Revenue is hereby authorized, with the approval of the Secretary of Finance, to transfer and assign appointees of the President to positions or assignments of equivalent rank in the Bureau if the exigencies of the service so require.

SECTION 6. Implementing Rules and Regulations. The Commissioner, with the approval of the Secretary of Finance, shall issue the rules and regulations and other issuances as may be necessary to ensure the effective implementation of the provisions of this Executive Order.

SECTION 7. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 3rd day of November, in the year of Our Lord, Nineteen Hundred and Ninety-Nine.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1999). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 176
PLACING THE PHILIPPINE NATIONAL RAILWAYS (PNR), LIGHT RAIL TRANSIT
AUTHORITY (LRTA) AND ALL OTHER RAILWAY AND MASS TRANSIT PROJECTS
UNDER THE OVERALL SUPERVISION OF THE DEPARTMENT
OF TRANSPORTATION AND COMMUNICATIONS

WHEREAS, the Government recognizes the importance of modern and efficient rail systems for providing fast and reliable means of urban and long distance transportation;

WHEREAS, there is a need to improve the financial viability and demonstrate efficient performance in the areas of railway systems management, operations, maintenance, upgrading and expansion of services;

WHEREAS, various studies have advocated the need for institutional and organizational restructuring of the rail sector and the consolidation of rail regulatory authority under a defined structure;

WHEREAS, pursuant to Executive Order No. 125 dated 30 January 1987 (Reorganizing the Ministry of Transportation and Communications) the Department of Transportation and Communications (DOTC) shall be the primary policy, planning, programming, coordinating, implementing, regulating and administrative entity of the government in the promotion, development and regulation of dependable and coordinated networks of transportation and communications systems;

WHEREAS, under Section 77 of the General Provisions of Republic Act No. 8745 or FY 1999 General Appropriations Act, the President may direct changes in the organization and key positions in any department, bureau or agency;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. POLICY ON RAIL SECTOR MODERNIZATION AND DEVELOPMENT. It shall be the policy of the government to pursue an accelerated program for the upgrading, modernization and development of rail transportation services to provide a convenient, efficient and affordable means of mass transport for both urban as well as long distance passenger and freight applications.

Such a program shall be undertaken with maximum private sector participation and public-private partnership schemes, and should seek to achieve the integration of heavy rail systems with the existing and planned light rail systems. The rail systems should connect to other transport systems at intermodal stations, as well as seaports and airports.

SECTION 2. ROLE OF DOTC. The DOTC, as the main transport planning and regulatory agency of the government, shall take primary responsibility to prepare plans, secure legislation and implement measures to carry out the restructuring of the rail sector and to encourage and maximize private sector initiatives and participation.

In support of this role, the DOTC shall have overall supervision over PNR, LRTA and the planning, coordination, and implementation of all rail-based transportation systems, programs and projects.

The DOTC shall report to the President any development which could hamper the government's program for the upgrading, modernization and development of rail transportation services.

Since it is essential to railway development to clear rail rights-of-way of obstructions and encroachments, the DOTC is also given authority and overall supervision over the relocation of informal dwellers by PNR and LRTA from their rail rights-of-way, in close coordination with the Presidential Commission on Mass Housing and local government units.

All activities towards these ends shall be under the responsibility and supervision of the Secretary of DOTC through the Undersecretary for Railways. For this purpose, the Undersecretary for Railways shall be provided with the necessary administrative and technical support.

SECTION 3. TECHNICAL SUPPORT AND COORDINATING MECHANISM. All government departments, agencies, GOCCs and local government units which are involved in rail-related projects are directed to coordinate their rail-related activities with the DOTC and to provide all the support and cooperation which it might require in the performance of its responsibilities.

SECTION 4. REPEALING CLAUSE. All issuances, orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

SECTION 5. EFFECTIVITY. This Executive Order takes effect immediately.

DONE, in the City of Manila, this 11th day of November, in the Year of Our Lord, Nineteen Hundred and Ninety-Nine.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1999). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 177
AMENDING EXECUTIVE ORDER NO. 76, SERIES OF 1999, TO INCLUDE A MAYOR OF A
NEGROS OCCIDENTAL MUNICIPALITY/CITY ALONG THE TAÑON STRAIT
AS MEMBER OF THE TAÑON STRAIT COMMISSION

WHEREAS, Executive Order No. 76, series of 1999, constituted the Tañon Strait Commission to serve as the planning, policy and program coordinating body for the accelerated, balanced and sustainable development of the Tañon Strait;

WHEREAS, Section 3 of Executive Order 76 provides the composition of the Commission to include, among others, the Mayor of a Negros Oriental and Cebu municipality/city along the Tañon Strait;

WHEREAS, the coverage of the Commission includes one city and three municipalities of Negros Occidental located along the Tañon Strait;

WHEREAS, said city and municipalities are not represented in the Tañon Strait Commission;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by the powers vested in me by law, do hereby amend Section 3 of Executive Order 76, to include as member of the Commission the **Mayor of a Negros Occidental Municipality/City along Tañon Strait**.

This Executive Order shall take effect immediately.

DONE in the City of Manila, this 19th day of November, in the year of our Lord, Nineteen Hundred and Ninety-Nine.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

(Sgd.) **RONALDO B. ZAMORA**
Executive Secretary

Source: Presidential Management Staff

Office of the President of the Philippines. (1999). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 178
CREATING THE NATIONAL POLICE TASK FORCE ON PROFESSIONAL SQUATTERS
AND SQUATTING SYNDICATES

WHEREAS, Sec. 27 of R.A. 7279 or the “Urban Development and Housing Act” (UDHA) provides that all local government units, in cooperation with the Philippine National Police (PNP), the Presidential Commission for the Urban Poor (PCUP) and PCUP-accredited urban poor organization in the area, shall adopt measures to identify and effectively stall the nefarious and illegal activities of professional squatters and squatting syndicates;

WHEREAS, Executive Order No. 129 dated 15 October 1993 entitled “Establishing an Institutional Mechanism to Curtail the Activities of Professional Squatting Syndicates and Professional Squatters and Intensifying the Drive Against Them” created the National Committee Against Squatting Syndicates and Professional Squatters to serve as an oversight, coordinative and recommendatory body relative to the implementation of the UDHA provisions on squatting syndicates and professional squatters;

WHEREAS, Executive Order No. 129 dated 15 October 1993 likewise created the Local Committee Against Squatting Syndicates and Professional Squatters to serve as the implementing arm of the National Committee Against Squatting Syndicates and Professional Squatters at the local levels;

WHEREAS, Executive Order No. 159 dated 12 October 1999 declared mass housing as the centerpiece program of the Estrada Administration and directed the fasttracked implementation of mass housing projects which will address the housing needs of the poor;

WHEREAS, the proliferation of professional squatters and squatting syndicates in urban centers nationwide hamper the effective implementation of the government’s mass housing programs; and,

WHEREAS, there is need to strengthen the capability of local government units to effectively curtail the operations of professional squatters and squatting syndicates.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by Law do hereby order:

SECTION 1. CREATION OF THE NATIONAL POLICE TASK FORCE TO APPREHEND SQUATTING SYNDICATES AND PROFESSIONAL SQUATTERS. There is hereby created a National Police Task Force on Squatting Syndicates and Professional Squatters hereinafter referred to as the “Task Force,” to vigorously pursue the apprehension and prosecution of professional squatters and squatting syndicates nationwide.

The Task Force shall be chaired by the Chief, Philippine National Police (PNP) and shall be composed of elements of various law enforcement agencies/entities as may be identified by the Chairman.

SEC. 2. FUNCTIONS. In coordination with the National Committee Against Squatting Syndicates and Professional Squatters, the Task Force shall:

-
- a. Initiate the identification of professional squatters and squatting syndicates including the names of public officials and/or private individuals or companies abetting or tolerating the commission of the act;
 - b. Conduct surveillance activities to check and verify initial intelligence information gathered concerning the identities of suspected professional squatters and squatting syndicates including the names of public officials and/or private individuals abetting or tolerating the commission of the act;
 - c. Closely coordinate with the Prosecutor's office and the concerned local government units in gathering evidence, as well as testify during court proceedings to ensure the speedy prosecution of identified professional squatters and squatting syndicates;
 - d. Provide police protection to victims of squatter syndicates and professional squatters, including the rightful beneficiaries of the government's housing program, who may have been victimized in various forms such as collection of exorbitant fees, issuance of fake titles, sowing disinformation;
 - e. Direct local police chiefs, through the PNP regional directors, to extend full support and assistance to the Local Committee Against Squatting Syndicates and Professional Squatters created pursuant to Executive Order No. 129, in line with the intensified drive against squatting syndicates and professional squatters;
 - f. Submit regular report on its activities and accomplishments to the President, through the Presidential Commission on Mass Housing (PCMH); and,
 - g. Perform such other functions as may be directed by the President.

SEC. 3. REPEALING CLAUSE. All executive orders, rules, regulations and other issuances or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 4. EFFECTIVITY. This Executive Order shall take effect immediately.

Done in the City of Manila, this 23rd day of November, in the year of our Lord, nineteen hundred and ninety-nine.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1999). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 179

CREATING A PRESIDENTIAL HOUSING ASSISTANCE ONE-STOP CENTER (PRESIDENTIAL HAOS-CENTER) TO PROVIDE ASSISTANCE TO BENEFICIARIES AND DEVELOPERS OF SOCIALIZED AND LOW-COST HOUSING PROJECTS

WHEREAS, Section 9, Article III of the Constitution mandates the provision of decent housing and basic services to the underprivileged and homeless;

WHEREAS, the government recognizes that shelter is a basic for which the poor require assistance;

WHEREAS, pursuant thereto, mass housing has been declared as the Centerpiece Program of the Administration;

WHEREAS, under the program, the Administration targets to produce 350,000 housing units per year over the period 2000-2004;

WHEREAS, to attain the target, maximum private sector participation is imperative;

WHEREAS, recent policies and strategies on housing are expected to generate interest among the intended beneficiaries who may wish to avail of housing assistance;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order:

SECTION 1. CREATION OF A PRESIDENTIAL HOUSING ASSISTANCE ONE-STOP CENTER. There is hereby created a Presidential Housing Assistance One-Stop (HAOS) Center to provide information and referral system and facilitate resolution of issues relative to the implementation of socialized and low-cost housing projects. The Presidential HAOS Center shall pursue a more coordinated mechanism to provide comprehensive service delivery and a more responsive organization to address the needs and concerns of the beneficiaries and developers of the program.

The Presidential HAOS Center, which will be under the direct supervision of the Presidential Commission for Mass Housing (PCMH), shall be based in the Presidential Management Staff and shall be manned by a composite team composed of representatives from the PMS, HUDCC and line departments and agencies involved in housing.

SEC. 2. FUNCTIONS. The Presidential HAOS Center shall undertake the following:

a. Ensure maximum private sector participation

- serve as a clearing house for private developers of socialized housing projects and undertake due diligence on the capabilities of potential developers;
- Act as a complaints and action center to address the concerns of developers and facilitate their endorsement and referral to concerned agencies;
- Undertake review, conduct due diligence, and recommend housing projects that will be accredited and certified by the PCMH as “flagship” projects; and
- Set-up hotlines to respond to phone in queries of developers.

b. Provide assistance to the target beneficiaries of the project

- Prepare information plans, such as primers on the availment by the intended beneficiaries of various projects of the government on housing;
- Establish information and facilitation services desks to assist beneficiaries on the requirements, processes and procedures for the availment of housing units and assistance;
- Assist beneficiaries in determining appropriate housing programs and financial schemes and facilitate their endorsement/referral to concerned agencies; and
- Set-up hotlines to respond to phone in queries of beneficiaries.

SEC. 3. CREATING THE REGIONAL AND PROVINCIAL HAOS CENTERS. Regional HAOS Centers (R-HAOS Centers) and Provincial HAOS Centers (P-HAOS Centers) shall likewise be created to provide assistance to developers and intended beneficiaries of housing programs of the National Government and Local Government Units (LGUs) at the local level.

The R-HAOS Centers and P-HAOS Centers shall address bottlenecks, issues and problems related to the implementation of socialized and low-cost housing projects.

The Regional Field Units of PMS and the Provincial Governments shall be the lead coordinators of the R-HAOS Centers and P-HAOS Centers, respectively. Line departments and agencies involved in housing shall provide the manpower support and technical assistance to these Centers, as necessary.

SEC. 4. FUNDING. The Secretary of Budget and Management is hereby directed to allocate funds from the Organizational Adjustment Fund or from any available fund under the annual appropriations of the government to support the operations of the Presidential HAOS Centers, including those of the R-HAOS and P-HAOS Centers. Subsequent funding thereon shall be included in the General Appropriations Act.

Funds for the operation of these Centers shall be released through the PCMH, subject to the submission of the Work and Financial Plan to the Department of Budget and Management.

SEC. 5. REPORTING SYSTEM. The Presidential HAOS Center shall submit quarterly reports to the PCMH on its operations including those of the R-HAOS and P-HAOS Centers.

SEC. 6. EFFECTIVITY. This Executive Order shall take effect immediately.

DONE, in the City of Manila, this 23rd day of November, in the year of our Lord, nineteen hundred and ninety-nine.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1999). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 180

AMENDING EXECUTIVE ORDER NO. 155 ABOLISHING THE COUNCIL FOR INVESTMENTS IN TRADE, INDUSTRY, TOURISM, AGRICULTURE, NATURAL RESOURCES, TRANSPORTATION, COMMUNICATIONS AND SERVICES AND REFOCUSING AND STRENGTHENING THE INVESTMENT ONE-STOP ACTION CENTER AND CREATING THE POSITION OF INVESTMENT OMBUDSMAN

WHEREAS, a more intensive generation of investments from local and foreign investors is needed to sustain development efforts;

WHEREAS, there is a need to entrench new policies with new administrative procedures at the implementation level to provide assistance to current and potential investors and to enhance the coordination and complementation efforts of government to promote investments;

WHEREAS, Executive Order No. 136, s. 1987, created a Council for Investments in Trade, Industry, Tourism, Agriculture, Natural Resources, Transportation, Communications and Services to coordinate investment development efforts of the government and to promote the country as an attractive investment area in identified sectors;

WHEREAS, EO 136 further created an Investment One-Stop Action Center (OSAC) under the Board of Investments to provide assistance to local and foreign investors by providing information, advice, and guidance on pertinent laws and procedures relative to doing business in the Philippines and to accept and act on applications for investments;

WHEREAS, pursuant to the Cabinet agreement on 18 August 1992, investment promotion units were established in key government offices to assist OSAC in their respective areas;

WHEREAS, the President has continuing authority to reorganize the administrative structure of the Office of the President pursuant to Executive Order No. 292 (Administrative Code of 1987);

WHEREAS, under Section 77 of the General Provisions of Republic Act No. 8745 or FY 1999 General Appropriations Act, the President may direct changes in the organization and key positions in any department, bureau or agency; and

WHEREAS, there is a need to refocus and strengthen the OSAC in order to be more responsive to the needs of investors in view of the highly competitive global environment.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order the following:

SECTION 1. ABOLISHING THE COUNCIL FOR INVESTMENTS. The Council for Investments in Trade, Industry, Tourism, Agriculture, Natural Resources, Transportation, Communications and Services, created pursuant to EO 136 s. 1987, is hereby abolished and its budget and plantilla of personnel is hereby transferred to the Board of Investments.

SECTION 2. CREATING THE OFFICE OF THE INVESTMENT OMBUDSMAN. There is hereby created an Office of the Investment Ombudsman which shall be under the direct supervision of

the Chairman of the Board of Investments. It shall be headed by an Investment Ombudsman who shall be appointed by the President upon recommendation of the BOI Chairman.

The Investment Ombudsman shall be designated as a Special Deputy of the Ombudsman.

The Investment Ombudsman shall be assisted by a Director for the Complaints and Action Center for Investments and a Director for the Quick Response One-Stop Action Center for Investments, both of whom shall also be appointed by the President upon recommendation of the BOI Chairman.

The Office of the Investment Ombudsman shall have a full-time staff complement for the services directly supportive to the performance of its functions.

SECTION 3. RENAMING AND REFOCUSING THE OSAC. The Investment One-Stop Action Center of the Board of Investments, created pursuant to EO 136, s. 1987 shall be transferred from the Board of Investments and hereby re-named Quick Response One-Stop Action Center for Investments (QROSACI) and shall be under the Office of the Investment Ombudsman.

SECTION 4. FUNCTIONS OF THE QROSACI. The QROSACI shall serve as clearing house for potential investors and undertake due diligence on the capabilities of potential investors. In this regard, the QROSACI shall undertake the following functions to assist investors with the desired credentials:

- a. Provide advise, guidance and information on various laws, rules and regulations governing investments and the conduct of business in the Philippines, including incentives that can be availed of;
- b. Facilitate the processing of all investment-related requirements by concerned agencies including local government units (e.g., licenses and permits, importation, taxation, etc., by ensuring that all frontline agencies perform their tasks within prescribed standards and parameters;
- c. Coordinate closely with the Investment Facilitation Specialists which shall be part of a network providing current and prospective investors with answers to technical and legal inquiries and fast action on the approval of investment-related permits and licenses.
- d. Improve time and quality standards for processing of investment-related papers in government agencies; and
- e. Coordinate with private sector organizations, the heads of which may be invited to constitute an Advisory Council which shall provide information, advice and feedback on the investment development efforts of the government.
- f. Promulgate rules of procedure for the effective exercise of its powers, functions, and duties.
- g. Perform such other functions as may be directed by the President and/or the Secretary of Trade and Industry.

SECTION 5. COORDINATING MECHANISM AND DESIGNATION OF INVESTMENT SPECIALISTS. The Investment Ombudsman shall establish a coordinating mechanism for addressing investor concerns with the following concerned government departments and agencies: Department of Trade and Industry, Department of Finance, Department of Environment and Natural Resources, Department of Agriculture and Food, Department of Agrarian Reform, Department of Tourism, Department of Interior and Local Government, Department of Justice, Bureau of Immigration, Bureau of Customs, Bureau of Internal Revenue, the Housing Land Use Regulatory Board and the Philippine National Police, to further enhance the services of the QROSACI. For this purpose, *Investment Facilitation Specialists* shall be designated by the aforementioned government departments and agencies, whose rank shall not be less than third in rank therein. The designation of the Investment Facilitation Specialists shall be confirmed by a memorandum of agreement (MOA) between the

Investment Ombudsman and the head of the department or agency within thirty (30) days after the Office of the Investment Ombudsman becomes operational.

The Investment Facilitation Specialist should have authority to provide the QROSACI and investors with answers to technical and legal inquiries as well as take fast action on the approval of investment-related permits and licenses submitted by the QROSACI. Whenever a more detailed evaluation of documents and papers are necessary, the Investment Specialist shall be responsible for monitoring the status of such documents and papers and ensuring that they are returned to the QROSACI and the applicant in the shortest possible time or within the prescribed time period.

SECTION 6. FUNCTIONS OF THE INVESTMENT OMBUDSMAN. The Office of the Investment Ombudsman shall act as a Complaints and Action Center for Investment and, as Special Deputy of the Ombudsman, shall have the following powers and functions:

- a. **Conduct Inquiries:** Inquire into acts or omissions of any public official or employee of the Government, or of any office, agency or instrumentality thereof concerned with the entry of local and foreign investments, including local government units and officials, which the Investment Ombudsman may consider to be:
 - * contrary to law or regulation;
 - * unreasonable, unfair, oppressive, irregular or inconsistent with the general course of the operations of a public officer, employee, office or agency;
 - * an error in the interpretation or application of law, rules or regulations, or a gross or palpable error in the appreciation of facts;
 - * based on improper motives or corrupt considerations;
 - * unclear or inadequately explained when reasons should have been revealed;
 - * inefficiently performed or otherwise objectionable.
 - b. **Direct Performance:** Direct, upon complaint of any investor, or at its own instance, any public official or employee or any office, agency or instrumentality, including local government units and officials, as well as any government-owned or controlled corporation with original charter, to perform and expedite any act or duty required by law to facilitate the entry of local and foreign investment, or to stop, prevent and correct any abuse or impropriety in the performance of duties.
 - c. **Submission of Documents:** Direct, in any appropriate case, and subject to such limitations as may be provided by law, any public official or employee, or any office, agency, or instrumentality, including local government units and officials, as well as any government-owned or controlled corporation with original charter, to furnish copies of documents relating to contracts or transactions entered into by such office involving the entry of local or foreign investment or to examine, if necessary, pertinent records and documents.
 - d. **Request Assistance and Information:** Request any government agency or local government unit for assistance and information necessary in the discharge of its responsibilities.
 - e. **Publicity for Deterrence Purposes:** With due prudence, publicize matters covered by its inquiries or investigations when circumstances so warrant.
 - f. **Recommend Reforms:** Determine the causes of inefficiency; red tape, mismanagement, fraud and corruption in the offices concerned with the entry of local and foreign investment and make recommendations for their elimination and the observance of high standards of ethics and efficiency.
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- g. Promulgate Rules: Promulgate its rules of procedure and exercise such other powers or perform such functions or duties as may be provided by law.

SECTION 6. FUNDING. The Secretary of Budget and Management is hereby directed to allocate funds from the Organizational Adjustment Fund or from any available fund under the annual appropriations of the government to support the Office of the Investment Ombudsman.

Funds for the operations of the Office of the Investment Ombudsman shall be released through the Secretary of Trade and Industry, subject to the submission of the Staffing Pattern and Work and Financial Plan to the Department of Budget and Management.

SECTION 7. REPORTING SYSTEM. The Investment Ombudsman, through the Secretary of Trade and Industry, shall submit quarterly reports to the Office of the President on steps taken to address investors concerns.

SECTION 8. SEPARABILITY CLAUSE. In the event that the provisions of this Executive Order are hereby declared to be separable and in the event any provision or part thereof is declared unconstitutional the other provisions or part thereof which are not affected thereby shall remain in full force and effect.

SECTION 9. REPEALING CLAUSE. All issuances, orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

SECTION 9. EFFECTIVITY. This Executive Order takes effect immediately.

DONE, in the City of Manila, this 23rd day of November, in the Year of Our Lord, Nineteen Hundred and Ninety-nine.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1999). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 181
ESTABLISHING A MACTAN-CEBU BRIDGE MANAGEMENT BOARD

WHEREAS, the existing and proposed bridges connecting mainland Cebu and Mactan islands are very important to the economic activities and development of the region; and

WHEREAS, there is a need for a body to coordinate the development, maintenance and use of the existing and future bridges connecting the two islands.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the power vested in me by law, do hereby order:

SECTION 1. ESTABLISHING A MACTAN-CEBU BRIDGE MANAGEMENT BOARD (MCBMB). A Mactan-Cebu Bridge Management Board, hereinafter referred to as the Board, is hereby established to coordinate the activities of concerned agencies with regard to the development, management, and use of the said bridges. The Board shall be under the supervision of the Central Visayas Regional Development Council (RDC).

SEC. 2. COMPOSITION. The Board shall be composed of the following:

1. The Regional Director of the Department of Public Works and Highways (DPWH) Region VII who shall be the *ex-officio* Chairman of the Board.
2. The Chairman of the Central Visayas RDC Infrastructure Development Committee who shall be the *ex-officio* Co-Chairman of the Board.
3. The Provincial Governor of Cebu.
4. The Mayor of the City of Mandaue.
5. The Mayor of the City of Lapu-lapu.
6. The Mayor of the City of Cebu.
7. The Mayor of the Municipality of Cordova.
8. The Regional Director of the Philippine Police (PNP) 7.
9. The Regional Director of the Land Transportation Office (LTO) 7.
10. Two (2) private sector representatives (PSR) to be chosen from among the PSR members from Cebu in the RDC.

SEC. 3. FUNCTIONS. The Board shall have the following functions:

- a) Review and approve policies, plans, projects, rules and regulations necessary for the development, maintenance, and use of the Mactan-Cebu bridges;
- b) Coordinate and ensure the effective implementation of the said policies, plans, projects, rules and regulations by the concerned agencies;
- c) Generate and administer funds and other resources needed for the operations of the Board, its technical working groups and the support staff;

- d) Create operating units composed of personnel from different agencies and hired personnel necessary to support and carry out the activities of the Board; and
- e) Perform other related functions to be assigned by the RDC.

SEC. 4. RDC SUPERVISION. The RDC shall provide general policies and guidelines for the technical and administrative activities of the Board. All resolutions of the Board shall be submitted to the RDC for review and confirmation. The Board shall submit quarterly reports of accomplishment to the RDC.

SEC. 5. TECHNICAL WORKING GROUPS. The Board shall create the necessary technical working groups (TWG) to assist the Board to carry out its functions.

SEC. 6. SUPPORT STAFF. The Board's principal office shall be at the DPWH Regional Office, which shall provide basic support to the Board. The Board is authorized to hire additional technical and administrative personnel necessary to carry out its activities.

SEC. 7. FUNDING. The operations and activities of the Board shall be funded by the administration fee from bridge toll collection, donations, grants, service charges, and contributions from local government units and line agencies as may be approved by the RDC.

SEC. 8. FUND MANAGEMENT. The funds of the Board shall be held in trust by DPWH Regional Office No. 7 and shall be disbursed in accordance with government accounting and auditing rules. The budget of the Board shall be approved by the RDC subject to government budgetary rules.

SEC. 9. COMPENSATION. The members of the Board and the technical working groups and support staff detailed from other agencies may be given honoraria for actual services rendered, subject to availability of funds and relevant government rules and regulations. The compensation of hired personnel shall be based on the budget approved by the RDC subject to government rules.

SEC. 10. SEPARABILITY CLAUSE. Any provision of this Executive Order declared illegal shall not nullify the other provisions hereof provided that the remaining provisions can be given force and effect to accomplish the purposes of this Executive Order.

SEC. 11. EFFECTIVITY. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 9th day of December, in the year of our Lord, nineteen hundred and ninety nine.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1999). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 182
RETURNING AND PLACING THE GOVERNMENT PORTS OF JOLO UNDER THE
ADMINISTRATION OF THE PHILIPPINE PORTS AUTHORITY

WHEREAS, pursuant to Sections 1 and 15, Article X of the Constitution, Republic Act No. 6734 entitled “An Act Providing for an Organic Act for the Autonomous Region in Muslim Mindanao” was enacted;

WHEREAS, under Section 2, Article V of Republic Act No. 6734, the Autonomous Region in Muslim Mindanao (ARMM) has jurisdiction over matters devolved to it by the Constitution and the Organic Act which include, among others, the powers, functions and responsibilities now being exercised by the departments of the National Government;

WHEREAS, on August 28, 1997, the President issued Executive Order 435 entitled “Devolving to the Autonomous Regional Government of the Autonomous Region in Muslim Mindanao certain Powers and Functions of the Department of Transportation and Communications, its Sectoral Offices and Attached Agencies in the Region, and for Other Purposes”;

WHEREAS, pursuant to Department of Transportation and Communications Order No. 97-1113 implementing Executive Order No. 435, the Port of Jolo was among those ports devolved to the Autonomous Regional Government;

WHEREAS, the Port of Jolo serves as the primary port in the region and plays a vital role in maintaining the economic and trade linkages with the other nearby islands as well as with Zamboanga and the rest of Mindanao;

WHEREAS, there is an urgent need to accelerate the development and modernization of the Port of Jolo to make it at par with other ports of the country;

WHEREAS, as requested by the local government units concerned, the Philippine Ports Authority has agreed to finance, develop and operate the Port of Jolo to upgrade its facilities and services under its direct administration;

NOW, THEREFORE, I JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

1. The ownership, administration and operation of the Port of Jolo in the Province of Sulu is hereby returned to the Philippine Ports Authority. All port facilities, buildings, equipment and furnitures and fixtures in the Port of Jolo are likewise directed to be turned over to the Philippine Ports Authority.

2. The Philippine Ports Authority and Autonomous Regional Government in the Autonomous Region in Muslim Mindanao are hereby directed to ensure a smooth turnover of the above port and its facilities.

3. Executive Order No. 435 and all other orders, proclamations, policies, rules and regulations which are inconsistent with this Order are hereby repealed or modified accordingly.

4. This Order shall take effect immediately.

DONE in the City of Manila, this 10th day of December, in the Year of Our Lord, Nineteen Hundred and Ninety-Nine.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1999). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 183
ADJUSTING THE DIVIDEND RATE OF THE PHILIPPINE PORTS AUTHORITY (PPA) ON ITS
1999 NET EARNINGS PURSUANT TO SECTION 5 OF REPUBLIC ACT NO. 7656

WHEREAS, Section 1 of Republic Act No. 7656 provides that:

“Section 1. Declaration of policy. It is hereby declared the policy of the State that in order for the National Government to realize additional revenues, government-owned and/or controlled corporation, without impairing their viability and the purposes for which they have been established, shall share a substantial amount of their net earnings to the National Government.”

WHEREAS, pursuant to Section 5 of R.A. 7656, PPA has earlier submitted its request to the Department of Finance for an adjustment of its dividend rate obligation;

WHEREAS, pursuant to the approved Corporate Budget of PPA for CY 2000, no new port project could be funded in spite of the need as determined by its various Field Offices;

WHEREAS, to support the viability and mandate of PPA, its liquidity, retained earnings and medium term plans and programs were considered in the determination of the reasonable dividend rate of said corporation on its 1999 net earnings;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The percentage of net earnings to be declared and remitted by PPA as dividend to the National Government, as provided for under Section 3 of Republic Act No. 7656, is hereby adjusted from fifty percent (50%) to fifteen percent (15%).

SEC. 2. The adjusted dividend rate provided for under the preceding section is only applicable to the 1999 net earnings of PPA.

Further, any amount saved under its reduced dividend obligation for 1999 shall be used exclusively for the construction, expansion and maintenance of ports under PPA's jurisdiction.

SEC. 3. This Executive Order shall take effect immediately.

DONE in the City of Manila this 10th day of December, in the year of Our Lord, Nineteen Hundred and Ninety-Nine.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1999). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 184
ESTABLISHING THE PRESIDENTIAL AWARD FOR THE CHILD FRIENDLY
MUNICIPALITIES AND CITIES

WHEREAS, the Child Friendly Movement is a worldwide movement to operationalize the Convention on the Rights of the Child (CRC);

WHEREAS, the Search for the Child Friendly Municipalities and Cities was launched to support the Child Friendly Movement;

WHEREAS, the Search aims to give recognition to the important role of local government units in promoting and protecting children's rights to survival, development, protection and participation;

WHEREAS, the Search is an effective mechanism to assure that the children's issues and concerns are given importance at the local level;

WHEREAS, a National Technical Working Group was organized to develop the Search guidelines and criteria by virtue of CWC Circular No. 7.2, series of 1999;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Creation of the Awards – The following Presidential Awards are hereby created:

- Child Friendly Municipalities of the Philippines
 - Category A: 1st to 3rd class municipalities
 - Category B: 4th to 6th class municipalities
- b. Child Friendly Cities of the Philippines
 - Category A: Highly urbanized cities
 - Category B: Component cities

SEC. 2. Selection of Awardees – The parameters to be used in selecting the Presidential Awardees shall be determined by the National Technical Working Group organized by the Council for the Welfare of Children.

SEC. 3. Frequency of Award – The Search shall be an annual award to be spearheaded by the Council for the Welfare of the Children (CWC).

SEC. 4. Awards and Prizes – The Presidential Award shall be conferred on each national awardee as indicated in Section 1 hereof, through the local chief executive concerned in the form of a Presidential trophy, citation and a cash prize of not less than One Hundred Fifty Thousand Pesos (P150,000.00) to be utilized for projects for children, to be sourced from the President's Fund.

Likewise, each national nominee for the four (4) categories shall be conferred a Presidential Plaque of Commendation.

SEC. 5. Recording and Evaluation – The National Historical Institute (NHI) of the Presidential Commission for Culture and Arts shall evaluate the design of the Presidential trophy and citation as to precedence, design, customs and traditions and shall recommend final approval of the Office of

the President. The approved design shall be returned to the NHI for proper recording in the National Registry of Heraldic Devices and shall transmit the approved design to the requesting party.

SEC. 6. Effectivity – This Executive Order shall take effect immediately.

Done in the City of Manila, this 13th day of December, in the year of our Lord, Nineteen Hundred and Ninety Nine.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: Presidential Management Staff

Office of the President of the Philippines. (1999). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 185

AMENDING CERTAIN SECTIONS OF EXECUTIVE ORDER NO. 128 DATED JULY 23, 1999
ESTABLISHING THE PRESIDENTIAL COMMISSION FOR THE NEW CENTURY AND THE
MILLENNIUM AND FOR OTHER PURPOSES

WHEREAS, the enunciated policy of Executive Order No. 128 is to address the need to draft policies and programs to ensure that the fruits of science and technology shall be fully developed and applied to all priority programs of this administration;

WHEREAS, an effective means of implementing the aforementioned policy is to effect a more active private sector representation in the commission of not only the education and business sectors but also the arts and culture as well as the non-governmental organizations, thus increasing the private sector representatives from two (2) to four (4);

WHEREAS, equally important is for the commission to employ qualified and effective personnel who are capable of working devotedly on a full-time basis;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Sections 1.m and 7, second paragraph, of Executive Order No. 128 dated July 23, 1999 are hereby amended to read as follows:

“Sec. 1.m - Four (4) representatives from the Private sector to be designated
by the President - Member

“Sec. 7. x x x

“The Secretariat shall have such number of personnel as may be necessary for the efficient and effective performance of its functions. All agencies of the government in the commission shall assign or detail an employee each to form the Secretariat without prejudice to hiring its own employees on a co-terminous basis with the commission, subject to the approval of the Department of Budget and Management.”

SECTION 3. Repealing Clause. - All orders, issuances or part thereof which are inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

SECTION 4. Effectivity. - This Executive Order shall take effect immediately.

Done in the City of Manila, this 14th day of December, in the year of Our Lord, nineteen hundred and ninety nine.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1999). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 186

**AUTHORIZING THE DEPARTMENT OF FOREIGN AFFAIRS TO CHARGE ALL
OPERATIONAL EXPENSES OF ITS MACHINE READABLE PASSPORTS AND VISAS PROJECT
AGAINST THE COLLECTIONS FROM THE ISSUANCE OF PERTINENT DOCUMENTS
RELATIVE TO ITS AWARD AND IMPLEMENTATION**

WHEREAS, the Department of Foreign Affairs (Department) has launched the Machine Readable Passports and Visas Project (Project) to upgrade the processing and issuance of Philippine passports and visas in accordance with standards set by the International Civil Aviation Organization (ICAO) for travel documents;

WHEREAS, the Project is proposed under the Build-Operate-Transfer scheme;

WHEREAS, pursuant to Republic Act No. 7718, also known as the Build-Operate-Transfer Law, the Department created a Pre-qualification, Bids and Awards Committee (PBAC) to oversee the planning and implementation of the Project;

WHEREAS, thirty-nine (39) project proponents responded to the invitation to pre-qualify and bid and paid Php 100,000.00 each for the pre-qualification documents;

WHEREAS, the PBAC has started issuing, for a non-refundable fee of Php 100,000.00, the Request-for-Proposals (RFPs) or bid documents to the 11 project proponents that pre-qualified;

WHEREAS, the PBAC continues to meet to discuss preparations for the pre-bid conference, the mechanics for the technical and financial evaluation of the bid proposals early next year, and other administrative matters related to the Project;

WHEREAS, most, if not all, PBAC activities entail financial cost which the regular budget of the Department could not accommodate given its other priorities;

WHEREAS, to ensure maximum efficiency of the PBAC in the planning and implementation of the Project, it is imperative that it be given adequate financial support.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Subject to pertinent budgetary laws and circulars, the Pre-Qualification, Bids and Awards Committee for the Machine Readable Passports and Visas Project (PBAC-MRP/V) of the Department of Foreign Affairs is hereby authorized to charge all its operational expenses against the collections from the issuance of the pre-qualification documents and Request-for-Proposals. The PBAC-MRP/V is hereby further authorized to pay out of the said collections, the honoraria of its voting and non-voting members, the members of its Technical and Financial Working Groups and Secretariat, and of local consultants whose services PBAC-MRP/V may engage in the technical and financial evaluation of the bid proposals.

The PBAC-MRP/V shall deposit the above-mentioned collections in a special account under account name "PBAC-MRP/V" at the nearest branch of a reputable and licensed Philippine bank.

The Chairman of the PBAC-MRP/V and another officer or employee of the Department of Foreign Affairs, designated as a special disbursing officer, shall serve as co-signatories of the said special account.

All disbursements from the special account shall be subject to existing accounting and auditing laws and procedures.

Upon completion of the Project, all amounts remaining in the said special account shall revert back to, and be deposited with, the National Treasury.

6. All Executive Orders, Administrative Orders, rules and regulations inconsistent with this Order are hereby repealed or modified accordingly.

This Executive Order shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Done in the City of Manila, this 16th day of December, in the year of Our Lord, Nineteen Hundred and Ninety-Nine.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1999). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 187
ADJUSTING THE DIVIDEND RATE OF LAGUNA LAKE DEVELOPMENT AUTHORITY ON ITS
1998 EARNINGS PURSUANT TO SECTION 5 OF REPUBLIC ACT NO. 7656

WHEREAS, Section of Republic Act No. 7656 provides that:

“Section 1. Declaration of Policy. It is hereby declared the policy of the state that in order for the National Government to realize additional revenues, government-owned and/or controlled corporations, without impairing their viability and the purposes for which they have been established, shall share a substantial amount of their net earnings to the National Government.”

WHEREAS, to support the viability and mandate of Laguna Lake Development Authority (LLDA), the liquidity, retained earnings position and capital expenditure programs of LLDA was considered in the determination of the reasonable dividend rate of said corporation on its 1998 net earnings;

WHEREAS, pursuant to Section 5 of RA 7656, the Secretary of Finance recommended the adjustment on the percentage of annual net earnings that shall be declared by the LLDA in the interest of national economy and general welfare;

NOW THEREFORE, I, JOSEPH E. ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The percentage of net earnings to be declared and remitted by LLDA as dividend to the National Government as provided for under Section 3 of Republic Act No. 7656 is adjusted from at least fifty percent (50%) to thirty percent (30%).

SECTION 2. The adjusted dividend rate provided for under Section 1 is only applicable on 1998 net earnings of LLDA.

SECTION 3. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 17th day of December, in the year of Our Lord, Nineteen Hundred and Ninety-Nine.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1999). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 188

CREATING AN INTER-AGENCY COMMITTEE COMPOSED OF A MOTHER COMMITTEE, A SUB-COMMITTEE AND A TECHNICAL WORKING GROUP TO PREPARE THE BID AND TENDER DOCUMENTS AND CONDUCT AN INTERNATIONAL PUBLIC BIDDING TO SELECT A PRE-SHIPMENT INSPECTION AND OTHER RELATED SERVICES CONTRACTOR

WHEREAS, pursuant to the country's accession to the GATT-WTO, the shift to transaction value must be fully implemented by January 01, 2000;

WHEREAS, the contract between the Societe Generale de Surveillance (SGS) and the Republic of the Philippines will expire on December 31, 1999;

WHEREAS, there is a need to engage a contractor to provide pre-shipment inspection and assist the Bureau of Customs in its modernization thrust;

WHEREAS, the most transparent process to select the contractor is through international public bidding.

NOW, THEREFOR, I, PRESIDENT JOSEPH EJERCITO ESTRADA, by virtue of my continuing powers to reorganize the Executive Department under the Constitution and the Administrative Code of 1987 do hereby order the following:

Section 1. Creation. There is hereby created an Inter-Agency Committee composed of a Mother Committee, a Sub-Committee and a Technical Working Group as hereinafter provided.

Section 2. Composition.

(A) The Mother Committee shall be composed of the Secretary of Finance, Secretary of Socio-Economic Planning (NEDA), Secretary of Trade and Industry, the Governor of the Bangko Sentral ng Pilipinas, and the Chief Presidential Legal Counsel. The Secretary of Finance shall act as Chairman of the Mother Committee.

(B) The Sub-Committee shall be composed of the Commissioner of Customs who shall likewise represent the Department of Finance, and one representative each from the NEDA, Department of Trade and Industry, the Bangko Sentral ng Pilipinas, and the Office of the Chief Presidential Legal Counsel. Their respective heads of agencies shall designate these representatives. The Commissioner of Customs shall act as Chairman and shall represent the Sub-Committee in all its activities.

(C) The Secretary of Finance shall designate the members of the Technical Working Group upon consultation with other members of the Mother Committee.

Section 3. Objectives. The Inter-Agency Committee shall conduct an international public bidding to select a contractor for to achieve the objectives of this Order.

Section 4. Powers, Duties and Functions.

(A) The Mother Committee shall, through the Secretary of Finance, exercise overall supervision and control over the activities of the Inter-Agency Committee. It shall, as a collegial body, exercise the following powers, duties and functions:

- Instruct the Sub-Committee to prepare the bid and tender documents for its approval;
- 2) Approve the evaluation results of each stage of the international public bidding;

Award the Contract;

Consider, decide or approve such other matters in the conduct of the international public bidding that the Mother Committee will require the Sub-Committee to submit for its consideration, decision or approval or which the Secretary of Finance will submit to the Mother Committee; and

Perform such other powers, duties and functions as may be necessary to implement this Executive Order.

(B) The Sub-Committee shall exercise direct supervision and control over the Technical Working Group and shall have the following powers, duties and functions:

Prepare the necessary bid and tender documents for the conduct of an international public bidding and submit the same for the approval of the Mother Committee;

Review and approve for submission to the Mother Committee the results of the international public bidding;

3 Perform such other powers, duties and functions as may be assigned by the Mother Committee or the Secretary of Finance to carry out the mandate of this Executive Order; and

Perform such other powers, duties and functions as may be necessary to implement this Executive Order.

All matters that require the approval of the Mother Committee shall be approved by the Sub-Committee as a collegial body.

The Technical Working Group shall have the following powers, duties and functions:

1) Act as the Secretariat of the Mother Committee and the Sub-Committee and shall prepare the minutes of the meetings of the Mother Committee and Sub-Committee;

2) Prepare the bid and tender documents for submission by the Sub-Committee to the Mother Committee;

3) Conduct the bidding process until final award of the contract provided that one representative from the Commission on Audit and one representative from the Philippine Chamber of Commerce and Industry shall be invited to attend the pre-bid conference and opening of bids as non-voting members;

4) Perform such other powers, duties and functions as may be assigned by the Mother Committee or the Secretary of Finance or the Sub-Committee to carry out the mandate of this Executive Order; and

5) Perform such other powers, duties and functions as may be necessary to implement this Executive Order.

Section 5. Term. The Committee, Sub-Committee and the Technical Working Group shall exist until it has accomplished the purpose of this Order.

Section 6. Funding. Subject to the usual auditing rules and regulations, the Committee shall be provided with a budget as may be approved by the Commissioner of Customs from the proceeds of sale of forfeited articles by the Bureau of Customs.

The Bureau of Customs shall provide the necessary workplace, facilities and equipment for the Inter-Agency Committee.

The Department of Budget shall incorporate the necessary budget in the annual General Appropriations Act for the services of the contractor engaged pursuant to this Executive Order.

Section 7 Effectivity This Executive Order shall take effect immediately.

DONE in the City of Manila, this 20th day of December, in the year of our Lord, Nineteen Hundred and Ninety-Nine.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President

(Sgd.) RONALDO B. ZAMORA

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1999). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 189

**DIRECTING ALL LOCAL GOVERNMENT UNITS TO SUBMIT TO THE DEPARTMENT OF
BUDGET AND MANAGEMENT THEIR RESPECTIVE ANNUAL INVESTMENT PLAN**

WHEREAS, Local Government Units (LGUs) are mandated to appropriate in its annual budget no less than twenty percent (20%) of its annual internal revenue allotment for development projects with copies of their respective Development Plans to be furnished the Department of the Interior and Local Government, pursuant to Section 287 of R.A. No. 7160, the Local Government Code of 1991, as implemented by Article 384 of its Implementing Rules and Regulations;

WHEREAS, while the Local Government Code empowers local authorities to manage their internal affairs consistent with devolution and local autonomy, it should be emphasized that part of the responsibility of the national government is to help ensure that public funds, particularly the 20% Development Fund, shall be appropriated and disbursed only for the very purpose or purposes for which such Fund was established; and

WHEREAS, it has been observed that most LGUs, if not all, do not submit an Annual Investment Plan (Local Development Plan) as required under the Local Government Code of 1991.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order the following:

SECTION 1. Use of the 20% Development Fund. The Internal Revenue Allotment (IRA) share of local government units equivalent to twenty percent (20%) set aside for development projects shall be used for specific sectoral programs, projects and activities in furtherance of the development agenda of the government. Accordingly, priority consideration shall be given to the following areas:

- a. Solid waste management which may include purchase of related equipment, trucks and compactors, as well as purchase of land for sanitary landfill purposes;
- b. Purchase of lots for hospitals, health centers, day care centers and similar facilities which may include construction, repair and/or maintenance of such facilities;
- c. Purchase of lot for resettlement of squatters, including construction of housing units and facilities;
- d. Activities in support of the Food Security Program, and the Livestock Dispersal, Fisheries Development and Fish Culture Farming Programs;
- e. Initiatives in support of Cooperative Development;
- f. Construction, maintenance and/or repair of post-harvest facilities, irrigation and other agricultural production systems;
- g. Construction, maintenance and/or repair of local roads and bridges;
- h. Construction, maintenance and/or repair of water and sewerage system, as well as, power and communication facilities; and
- i. Construction, maintenance and/or repair of public buildings which may include purchase of equipment necessary in the implementation of infrastructure undertakings.

SECTION 2. Submission of the Annual Investment Plan. All local government units shall submit their respective Annual Investment Plan (Development Plan) as approved by their Local Development Council, to the appropriate regional office of the Department of Budget and Management, not later than January 31st of each year; provided, however, that the submission of this Annual Investment Plan for the year 2000 shall be not later than March 31, 2000. More specifically, said Annual Investment Plan shall contain specific programs, projects and activities, as aforementioned, the corresponding project cost including the necessary fund flows to approximate the reasonable timing in the release of funds.

SECTION 3. Direct Release of the Internal Revenue Allotment Representing the 20% Development Fund. The DBM Regional Office shall release the twenty percent (20%) Development Fund of the LGU on the basis of programs, projects, and activities embodied in the Annual Investment Plan direct to the LGU concerned considering the appropriate schedule for the release of funds. When appropriate, the initial release for mobilization and the subsequent progress billing scheme may be adopted for the purpose.

SECTION 4. Implementing Guidelines. The Department of Budget and Management, in consultation with all the Leagues of the local government units, shall formulate the necessary guidelines for the effective implementation of this Order and may prescribe appropriate forms for the purpose.

SECTION 5. Review of the Project List to Implement the 20% Development Fund. The Development Budget Coordinating Committee (DBCC) shall conduct a semestral review of the list of eligible projects and shall provide the Office of the President with a report and recommendation on the effective implementation thereof.

SECTION 6. Effectivity. This Executive Order shall take effect on January 1, 2000.

DONE, in the City of Manila, this 21st day of December, in the Year of Our Lord, Nineteen Hundred and Ninety Nine.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1999). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 190

DIRECTING THE DEPARTMENT OF BUDGET AND MANAGEMENT TO REMIT DIRECTLY THE CONTRIBUTIONS AND OTHER REMITTANCES OF LOCAL GOVERNMENT UNITS TO THE CONCERNED NATIONAL GOVERNMENT AGENCIES (NGA), GOVERNMENT FINANCIAL INSTITUTIONS (GFI), AND GOVERNMENT OWNED AND/OR CONTROLLED CORPORATIONS (GOCC)

WHEREAS, the social-security and insurance program of the Government is recognized as a source of social benefits for all government personnel;

WHEREAS, benefits under the program become meaningful and can serve the purpose intended by the law only if such social benefits are paid in the right amounts to the rightful claimants when they fall due;

WHEREAS, it has been reported that the compulsory contributions to the System are not remitted on time as mandated by existing laws and most often LGU personnel cannot avail for themselves some of the benefits under the System for non-remittance by some LGUs of both the employer and the employee's contribution;

WHEREAS, in addition to the arrearages on GSIS remittances, many LGUs have incurred unreasonable delays in the remittance of the required contributions for Pag-IBIG, the Employees Compensation Insurance Premium (ECIP), Health Insurance Fund, and the BIR authorized withholding tax; and

WHEREAS, the expeditious settlement of these arrearages and delayed remittance depends to a large measure on some extra effort that will ensure prompt payment of the contributions and remittances to concerned government agencies, GFIs, and GOCCs.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order the following:

SECTION 1. The Department of Budget and Management shall remit directly to the Government Service Insurance System quarterly the local government unit's shares as well as the employee contributions due under Republic Act No. 8291, Republic Act No. 6111 and Presidential Decree No. 626, as amended.

SECTION 2. The amount corresponding to the said premium contributions shall be deducted from the Internal Revenue Allotment (IRA) of Local Government Units concerned.

SECTION 3. The outstanding compulsory contributions and other remittances of LGUs due the concerned government agencies, GFIs, and GOCCs shall likewise be deducted from the IRA of LGU concerned.

SECTION 4. For the effective implementation of this Order, the concerned national government agencies, GFIs and GOCCs may enter into an appropriate Memorandum of Agreement with the DBM. The Local Government Units shall submit to the DBM a list of their existing personnel covered under the Insurance System, the individual contributions (government and employee share), together with the list of delayed remittances due the national government agencies,

GFI, and GOCCs. Failure of the LGU officials and/or employees to submit such listing and other requirement shall be a basis for appropriate disciplinary action and sanction.

SECTION 5. For the guidance of all local government units and to ensure full compliance of this Order, the Department of Budget and Management shall issue the necessary implementing rules and regulations for the purpose.

SECTION 6. This Executive Order shall take effect on January 1, 2000.

DONE, in the City of Manila, this 21st day of December, in the Year of Our Lord, Nineteen Hundred and Ninety Nine.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

(Sgd.) **RONALDO B. ZAMORA**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1999). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 191
DEACTIVATION OF THE ECONOMIC INTELLIGENCE AND INVESTIGATION BUREAU

WHEREAS, under the Administrative Code of 1987, the Economic Intelligence and Investigation Bureau (EIIB) is one of the bureaus under the Department of Finance;

WHEREAS, the designated functions of the EIIB are also being performed by other existing agencies of the Government;

WHEREAS, there is a need to constantly monitor the overlapping of functions among the agencies of Government to avoid duplicity of work and in order to streamline the functions of the bureaucracy;

WHEREAS, under Section 77 of the General Provisions of Republic Act No. 8745 or FY 1999 General Appropriations Act, the President may direct changes in the organization and key positions in any department, bureau or agency;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Deactivation of the Economic Intelligence and Investigation Bureau. The Economic Intelligence and Investigation Bureau (EIIB) under the Department of Finance is hereby deactivated.

Section 2. Transfer of Functions. The functions of EIIB shall be performed by the appropriate agencies of the Government such as the Bureau of Customs, the National Bureau of Investigation pursuant to their respective charters.

Section 3. Disposition of Personnel and Transfer of Funds and Resources. The Secretary of Finance is hereby directed to review the need for the personnel of the EIIB for eventual termination or integration to the department proper or other agencies of Government, and to submit the appropriate recommendations to the President within thirty (30) days from the effectivity of this Order.

Section 4. Separability Clause. Any portion or provision of this Executive Order that may be declared unconstitutional shall not have the effect of nullifying other portions or provisions of this Order for as long as such remaining portions can still subsist and be given effect.

Section 5. Repealing Clause. All executive orders, rules, regulations and other issuances or parts thereof which are inconsistent with the provisions of this Executive Order are hereby revoked or modified accordingly.

Section 6. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 7th day of January, in the year of Our Lord, two thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:
(Sgd.) **RONALDO B. ZAMORA**
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 192
TRANSFERRING THE SECURITIES AND EXCHANGE COMMISSION FROM THE OFFICE OF
THE PRESIDENT TO THE DEPARTMENT OF FINANCE

WHEREAS, under Section 1, Chapter 1, Title I, Book III Executive Order No. 292 or the Administrative Code of 1987, the President shall have control of all executive departments, bureaus and offices;

WHEREAS, Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987, provides continuing authority to the President to reorganize the administrative structure of the Office of the President;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The Securities and Exchange Commission is hereby transferred from the Office of the President to the Department of Finance (DOF).

SECTION 2. The DOF shall assume administrative supervision over the SEC including, but not limited to, the formulation of capital market development and savings mobilization policies, as may be consistent with the provisions of Section 38, Chapter 7, Title III, Book IV of the Administrative Code of 1987.

SECTION 3. Any portion or provision of this Executive Order that may be declared unconstitutional shall not have the effect of nullifying other portions or provisions for as long as such remaining portions can still subsist and be given effect.

SECTION 4. All executive rules, regulations and other issuances or parts thereof which are inconsistent with the provisions of this Executive Order are hereby revoked or modified accordingly.

SECTION 5. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 7th day of January, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT

EXECUTIVE ORDER NO. 193
CONSTITUTING THE ECONOMIC COORDINATING COUNCIL

WHEREAS, there is a compelling need to take advantage of the requirements and opportunities arising from globalization and borderless competition;

WHEREAS, in addressing commitments entered into with WTO, APEC, ASEAN and other related international organizations, there is an urgent need to continuously improve Philippine competitiveness through efficient utilization of scarce resources, simplified procedures, timely economic reforms and harmonized government policies and programs;

WHEREAS, in order to sustain the growth of the Philippine economy, there is need to fasttrack the implementation of priority programs, particularly the activities related to food security, housing, and priority infrastructure projects

WHEREAS, certain economic and development policies and programs require urgent and time-sensitive execution involving fiscal, trade, industry, agriculture and other investment matters;

WHEREAS, the power of control of the President over executive departments, bureaus and offices authorizes him to change, modify or alter decision of any executive department of office;

WHEREAS, to ensure quick response, there is a need to form an executive body that shall provide prompt and timely action;

NOW, THEREFORE, I JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested on me by the Constitution, do hereby order:

Section 1. Constitution of the Economic Coordinating Council. There is hereby constituted an Economic Coordinating Council (hereinafter referred to as ECC), composed of the President as Chairman, Secretary of Finance as Vice-Chairman, and the following members: Executive Secretary, Secretaries of Trade and Industry, Budget and Management, Agriculture, Director General of the National Economic and Development Authority, and Chairman of the Housing and Urban Development Coordinating Council. The Governor of the Bangko Sentral ng Pilipinas (BSP) shall be an ex-officio member of the ECC, which membership is not inconsistent with the BSP's independence, as provided for in the Constitution to allow for economic policy coordination. Other concerned heads of agencies may be invited to participate in the ECC's activities as needed.

Section 2. Functions. The ECC shall have the following functions:

- a. Ensure the consistency and complementation of all issuances, pronouncements, plans, programs and projects, and proposed legislation with the country's economic reform direction to further promote deregulation, liberalization, free and fair market competition and increased private sector participation;
- b. Direct any office, agency or instrumentality of the government to expeditiously execute its functions to attain the objectives of this order; and
- c. Exercise such other powers and perform such other duties as maybe required.

Section 3. Primacy of Council Decisions. Decisions of the Council on urgent matters related to the country's economic recovery, specifically approved by its Chairman, shall overrule decisions or lack of decision of a department, bureau or office, subject to any Constitutional or legal limitation on the exercise of such Presidential power.

Section 4. Council Meeting Attendance. It is hereby required that attendance to the meetings of the ECC shall be strictly at the Cabinet level consistent with its thrust of quick response.

Section 5. Secretariat. A secretariat is hereby established which shall be fully supported by the Presidential Management Staff.

Section 6. Funding. To carry-out the provisions of this Order, the amount of Five Million Pesos (P5 million) shall be allotted as initial funding, which shall come from the budget of the Office of the President.

Section 7. Repeal Clause. All executive issuances of portions thereof, inconsistent with this Order, are hereby repealed or modified accordingly.

Section 8. Effectivity. This Executive Order shall take effect immediately.

DONE, in the City of Manila, this 6th day of January, in the Year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: Presidential Management Staff

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 194

AMENDING GENERAL ORDER NO. 7, DATED SEPTEMBER 23, 1972; GENERAL ORDER NO. 7-A, DATED SEPTEMBER 30, 1972; GENERAL ORDER NO. 7-B, DATED JANUARY 17, 1973 AND GENERAL ORDER NO. 7-C, DATED FEBRUARY 21, 1973.

WHEREAS, General Order No. 7 provides that only officers and men of the Armed Forces of the Philippines and police officers in the actual performance of their official mission or duty shall be allowed to carry firearms outside of their residence;

WHEREAS, General Order No. 7-A provides that agents of the National Bureau of Investigation shall be allowed to carry firearms outside of their residence while in the actual performance of their official mission or duty to include guards of the Bureau of Prisons and of Provincial and City Jails provided that they carry their firearms only within the premises of the prison or jail and/or while escorting prisoners;

WHEREAS, General Order No. 7-B provides that officers and enlisted personnel in the active service of the Armed Forces of the Philippines may hold under license a maximum of only one (1) low-powered rifle and one (1) sidearm of any type or caliber; limits the number of firearms to be possessed by each individual and regulates the operations of gun clubs;

WHEREAS, General Order No. 7-C provides that the commissioned officers in good standing of the Reserve Force, Armed Forces of the Philippines who are in inactive status may hold under license only one (1) low powered rifle and one (1) sidearm not higher than caliber .45 pistol;

WHEREAS, the rising threat to peace and order posed by criminality, insurgency, subversion, and the secessionist movement requires the dedicated efforts not only of law enforcement agencies but private citizens as well;

WHEREAS, the present thrust of the PNP is to combat all kinds of criminality while current government programs need the support and participation of the citizenry to effectively prevent and suppress criminality and to maintain public order and safety in the land;

WHEREAS, Section 887 of the Revised Administrative Code, which has not been repealed, provides that any person desiring to possess one or more firearms for personal protection or for use in hunting or other lawful purposes only, and ammunition thereof, shall apply for a license(s) to possess such firearm or firearms and/or ammunition as hereinafter provided.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. General Order Nos. 7, 7-A, 7-B and 7-C which authorize certain individuals to possess and carry firearms, limit the number of firearms to be possessed and regulate the operation of gun clubs are hereby repealed.

Section 2. Henceforth, all citizens of the Philippines may possess firearms of any type and/or caliber; *Provided*, that such firearms are not classified as crew-served weapons (CSWs), light anti-tank

weapons (LAWs), light machine guns (LMGs), anti-tank and anti-personnel recoilless rifles, bazookas, etc; *Provided further*, that such firearms are test-fired for ballistics, stenciled and properly licensed.

Section 3. Only uniformed personnel of the PNP, officers and enlisted personnel of the AFP and agents of the NBI are authorized to carry their licensed firearms outside their residence while in the actual performance of their official mission or duty. All other firearm license holders have to apply for a Permit to Carry Firearms Outside of Residence (PTCFORs) in order to avail of this privilege.

Section 4. The Philippine National Police shall issue the necessary rules and regulations to implement this order.

Section 5. All orders, issuances, rules and regulations or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

Section 6. This Executive Order shall take effect immediately

Done in the City of Manila this 24th day of February, in the year of our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 195
**RE-DIRECTING THE FUNCTIONS AND OPERATIONS OF THE HOUSING AND URBAN
DEVELOPMENT COORDINATING COUNCIL AND ALL HOUSING AGENCIES**

WHEREAS, Executive Order (EO) No. 90 dated 17 December 1986, identified the government agencies essential for the National Shelter Program, defined their mandates and created the Housing and Urban Development Coordinating Council (HUDCC) to coordinate the activities of the government housing agencies to ensure the accomplishment of the National Shelter Program;

WHEREAS, for administrative purposes under existing laws, the President of the Philippines is the head of, and exercises direct control and supervision over the coordinating, key and support agencies of the National Shelter Program;

WHEREAS, the President, through the issuance of EO 159 on 12 October 1999, has identified *mass housing* as the centerpiece program of his Administration and created the Presidential Commission on Mass Housing (PCMH) through which he shall personally oversee the mass housing program of the government;

WHEREAS, there is a need to rationalize the government's housing sector to ensure accountability and to establish a reporting system with clear lines of authority among the housing agencies;

WHEREAS, there is a need to realign the offices under each of the housing agencies to delineate responsibilities based under the following functional categories: production, regulation, financing, marketing and estate management, in accordance with existing laws, rules and regulations on the same;

WHEREAS, Section 31, Chapter 10, Title III, Book III of EO 292 otherwise known as the Revised Administrative Code of 1987, vests the President with continuing authority to reorganize his Office subject to the policy in the Executive Office, and in order to achieve simplicity, economy and efficiency;

WHEREAS, Section 20, Chapter 7, Title I, Book III of EO 292, empowers the President to exercise such powers and functions vested in him which are provided for under existing laws;

WHEREAS, under Section 77 of the General Provisions of Republic Act (RA) No. 8745 (FY 1999 General Appropriations Act), the President may direct changes in the organization and key positions in any department, bureau or agency;

WHEREAS, Section 79 of the General Provisions of RA 8745 mandates the scaling-down, phase-out or abolition of activities which are no longer essential in the delivery of public services;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

Section 1. *Re-directing the Functions and Operations of the HUDCC and the offices, agencies and government corporations under or attached to it.* Consistent with the desire of the Administration to make housing as its centerpiece program, the government's housing sector composed of the HUDCC, the National Home Mortgage and Finance Corporation (NHMFC), Housing and Land Use Regulatory Board (HLURB), Home Insurance and Guaranty Corporation (HIGC), the National

Housing Authority (NHA), including the Home Development Mutual Fund (HDMF), are hereby mandated to maximize their effectiveness in the provision of housing units and other housing services.

Section 2. Roles and Focus of the Housing Agencies. Pursuant to above goals, the following shall be the respective roles and focus of the housing agencies:

- a. *HUDCC.* The HUDCC shall primarily be involved in staff functions. It shall render technical, secretariat and other support services to the PCMH. Pursuant to this, it shall serve as the lead agency to assist the President and the PCMH in formulating the national objectives, policies and strategies for housing and urban development, and in designing broad strategies for the accomplishment of the government's housing objectives.
- b. *HLURB.* HLURB shall continue to ensure rational land use for the equitable distribution and enjoyment of development benefits. To effect this, and to sustain a balance in economic development, social justice and environmental protection, HLURB shall facilitate the devolution of town plan review functions. Relative to this, it shall extend comprehensive and productive planning assistance to provinces, cities and municipalities towards the formulation of Comprehensive Land Use Plans (CLUPs).
- c. *NHA.* NHA shall focus on socialized housing. To accomplish this mandate, NHA shall develop and implement a comprehensive and integrated housing development and resettlement; fasttrack the determination and development of government lands suitable for housing; as well as ensure the sustainability of socialized housing funds by improving its collection efficiency, among others.
- d. *HIGC.* HIGC shall mobilize all necessary resources to broaden the capital base for the effective delivery of housing and other related services, primarily for the low-income earners through a viable system of credit insurance, mortgage guarantee and securitization.
- e. *NHMFC.* The NHMFC shall re-direct its operations to the development and provision of a secondary mortgage market to finance mortgage take and fasttrack the disposition of existing mortgages.
- f. *HDMF.* To enable it to support the PCMH and the new directions in the housing sector, the HDMF shall focus on the administration of a nationwide provident fund for the government's housing program, formulate other investment strategies relative to housing as well as improve its collection efficiency.

Section 3. Coordination with PCMH/HUDCC. All Departments, regular agencies, government-owned and controlled corporations, and local government units are hereby directed to coordinate the formulation and implementation of their respective housing programs with the PCMH/HUDCC.

Section 4. Formulation of a Rationalization and Streamlining Plan (RSP). In view of the functional and operational re-direction indicated above, and to effect efficiency and effectiveness in all the activities of the housing agencies, said agencies shall prepare their respective Rationalization and Streamlining Plans (RSPs) which shall be the basis of the operational and organizational adjustments. The RSPs shall provide the framework for the following:

- a) The clustering, scaling-down or phasing-out of offices and/or units in ways that will ensure effectiveness and accountability;
 - b) The establishment of a reporting system with clear lines of authority between and among the housing agencies, the HUDCC and the PCMH, as well as among the offices under these agencies;
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- c) The realignment of offices/units delineating responsibilities based on the following functional categories: production, regulation, financing, marketing and estate management in accordance with existing rules and regulations on the same;
 - d) The privatization of housing services which can be handled with more facility, effectivity and efficiency by the private sector; and
 - e) The rationalization of these agencies' staffing pattern, ensuring that the resulting revised staffing complement of said agencies duly include a rationalization and/or integration plan for the occupants of said positions.

Section 5. *Submission of the RSPs to the President.* The RSPs shall be submitted to the President for his approval within 30 days after the effectivity of this Executive Order.

Section 6. *Redeployment of Personnel.* As necessary, the existing personnel of the housing agencies shall be redeployed in accordance with the requirements of the RSP and existing civil service laws and rules. Such redeployment shall not result in the diminution in rank and compensation of affected personnel.

Section 7. *Funding.* The financial resources required to implement the RSP of the HUDCC and the other housing agencies shall be taken from funds available in these agencies: ***Provided,*** That the total cost of the approved staffing pattern shall not exceed the authorized appropriations of these agencies for Personal Services under RA 8745 (FY 1999 General Appropriations Act) and/or from available corporate funds.

Section 8. *Repealing Clause.* All other Executive Orders and Issuances inconsistent with this Executive Order are hereby rescinded or modified accordingly.

Section 9. *Separability Clause.* If any provision of this Executive Order is held invalid, other provisions not affected thereby shall be valid and binding.

Section 10. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila, this 31st day of December, in the year of the Lord, nineteen hundred and ninety-nine.

(Sgd.) JOSEPH EJERCITO ESTRADA

BY THE PRESIDENT:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: Presidential Management Staff

Office of the President of the Philippines. (1999). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 196
CREATING THE PRESIDENTIAL ANTI-SMUGGLING TASK FORCE “ADUANA” TO
INVESTIGATE AND PROSECUTE CRIMES INVOLVING LARGE-SCALE SMUGGLING
AND OTHER FRAUDS UPON CUSTOMS, OTHER ECONOMIC CRIMES AND PROVIDING
MEASURES TO EXPEDITE SEIZURE PROCEEDINGS

WHEREAS, large scale smuggling and frauds upon customs and other related illegal practices continue to undermine the national interest and security;

WHEREAS, the prevention and suppression of smuggling and other related fraudulent practices against customs laws is one of the urgent concerns of the administration, an essential requirement for the success of the government’s economic reforms;

WHEREAS, the creation of a presidential body directly mandated and empowered to investigate and prosecute large-scale smuggling and other illegal or unlawful importations is necessary to effectively counteract this form of economic sabotage and strengthen our system of enforcement of revenue laws;

WHEREAS, the Administrative Code of 1987 empowers the President with the continuing authority to reorganize the Office of the President and to transfer functions from one department or agency to another;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Creation of Task Force.* – There is hereby created a Presidential Anti-Smuggling Task Force, hereinafter called the “Task Force Aduana,” under the control and supervision of the Office of the President principally to combat smuggling, unlawful importations and other frauds upon customs committed in large scale or by organized and syndicated groups.

SEC. 2. *Composition.* – The Task Force shall be composed of elements from the Presidential Security Group (PSG) and intelligence Service, Armed Forces of the Philippines (ISAFP). If necessary, the Task Force shall be augmented by other elements of the Philippine Army, Philippine Air Force, Philippine Navy and the National Intelligence Coordinating Agency (NICA).

The Task Force shall be headed by a senior AFP General Officer, to be designated by the President. A deputy who shall likewise be designated by the President shall assist him.

SEC. 3. *Powers and Functions.* – The Task Force shall have the following powers and functions:

- To prepare and implement appropriate and effective measures to prevent and suppress large-scale smuggling and other prohibited and unlawful importations;
- To effect searches, seizures and arrests, and for the Task Force Commander to file administrative and criminal cases conformably with the provisions of the Tariff and Customs Code of the Philippines, as amended, pertinent provisions of the Revised Penal Code, as amended and the Rules of Criminal Procedure;

3. To conduct intelligence and counter-intelligence on smuggling and other unlawful importations, including the monitoring of situations, circumstances, activities of individuals, groups and entities who are involved or who are reasonably believed to be involved in smuggling activities;
4. To select and recruit personnel from within the PSG and ISAFP for assignment to the Task Force with the conformity of the office or agency concerned;
5. To enlist the assistance of any department, bureau, office or agency or instrumentality of the government, including government-owned or controlled corporations to carry out its functions, including the use of their respective personnel, facilities and resources;
6. To conduct investigation of ill-gotten wealth of all persons including government officials involved in smuggling activities, in coordination with other government agencies.
7. To conduct verification with the Bureau of Customs of all documents pertaining to payment of duties and taxes of all imported articles.
8. To suppress and prevent all other economic frauds as may be directed by the President.
9. To perform such functions and carry out such activities as may be directed by the President.

SEC. 4. *Offenses Covered.* - The Task Force shall have the authority to take cognizance of the following crimes:

- a) Smuggling and customs frauds committed by organized or syndicated groups or criminal enterprises.
- b) Smuggling and other false and fraudulent importations or violations of customs laws committed in large scale.
- c) Such other cases of violations of the Tariff and Customs Code, as amended, and other related laws as the President may determine from time to time.

Smuggling and other customs frauds and violations of customs laws shall be deemed committed by a syndicate if carried out by a group of three (3) or more persons conspiring or confederating with or mutually helping one another in carrying out the criminal acts. They shall be deemed committed in large scale if committed in connivance with officials and employees of the Bureau of Customs or where the determinable value of importations exceeds P1 Million pesos.

SEC. 5. *Organizational Support.* - The Task Force shall organize technical, administrative and special staffs composed of personnel assigned or detailed to the Task Force by the different agencies called to assist the Task Force. The head of the Task Force shall delineate the respective responsibilities of the supporting staffs.

SEC. 6. *Special Team of Prosecutors.* - To assist the Task Force in the expeditious prosecution of criminal and other cases involving syndicated and large scale smuggling and customs frauds, a Special Team of Prosecutors from the Department of Justice shall be assigned to the Task Force. The team shall have the following powers and duties:

1. To evaluate evidence gathered by the Task Force and to determine whether or not violations of the Tariff and Customs Code, as amended, and other related laws and regulations have been committed.
2. To initiate and conduct preliminary investigations and to file and prosecute the appropriate administrative and criminal charges against person(s) responsible for the violation of customs laws or other related laws and regulations;

3. To recommend the issuance of warrant of seizure and detention in appropriate seizure cases of suspected smuggled articles.

The Special Team of Prosecutors may be assisted by lawyers selected and recruited by the Task Force from the Department of Justice and the Bureau of Customs.

SEC. 7. *Special Pool of Hearing Officers.* - A Special Pool of Hearing Officers in the Bureau of Customs under the Deputy Commissioner for Revenue Collection and Monitoring Group is hereby created and its members shall be selected by the Task Force Commander. A Special Pool of Hearing Officers shall specifically attend to or hear seizure cases arising from unlawful importations and violations of customs laws being investigated by the Task Force.

In addition to the powers granted under the Tariff and Customs Code, as amended and under customs rules and regulations issued pursuant thereto, the Hearing Officers shall have the authority to summon witnesses, administer oaths, or take testimony or evidence relevant to the investigation by *subpoena ad testificandum* and *subpoena duces tecum* to rule on motions and issues presented during the proceedings and to do such other acts necessary and incidental to the discharge of their functions.

The Special Pool of Hearing Officers shall be initially composed of at least six (6) members to be selected from the various legal units of the Bureau of Customs.

SEC. 8. *Summary Proceedings.* - The seizure proceedings shall be terminated within a period of thirty (30) days from the date of commencement of hearing. Subject to the essential requirement of due process, the technicalities of law and procedure and the rules governing the admissibility and sufficiency of evidence obtaining in courts of law shall not strictly apply.

The decision on seizure proceedings shall be rendered by the Collector of Customs within five (5) days from termination of the formal hearing.

The mandatory period for termination of the proceedings and rendition of decision shall be strictly observed unless extension thereof is necessary to avoid miscarriage of justice.

SEC. 9. *Authorizations.* - The Commissioner of Customs shall, if necessary, issue such authorizations and orders required under the Tariff and Customs Code, as amended, for all purposes relevant to the effective exercise and performance of the powers and functions of the Task Force.

SEC. 10. *Funding.* - Subject to the usual audit, the Task Force shall be provided with an initial annual allocation of Fifty Million Pesos (₱ 50M) to be drawn from the President's Contingency Fund and from the government's savings. Thereafter, appropriations for the succeeding years shall be incorporated in the budget proposal of the Office of the President.

SEC. 11. *Operating Guidelines.* - The Task Force shall adopt, in coordination with customs law enforcement agencies, such operating guidelines as may be necessary to implement this Executive Order, subject to the approval of the President. It shall submit to the President reports of its activities with appropriate recommendations for the information and guidance of the President.

SEC. 12. *Coordinating Instructions.* - The objective of this issuance is to focus and maximize the impact on organized and large-scale smuggling and related crimes to be addressed solely by the Presidential Anti-Smuggling Task Force "Aduana" operating directly under the Office of the President, while the Philippine National Police shall continue to be the primary general law enforcement agency of the country pursuant to Republic Act No. 6875, as amended and shall not interfere with any anti-smuggling operations. Accordingly, close coordination and cooperation shall be undertaken by the Head of the Task Force, The Chief of the PNP and other heads of customs law enforcement agencies, to insure effective and efficient prosecution of the anti-smuggling campaign, and to avoid overlapping of functions.

SEC. 13. *Repealing Clause*. - Executive Order No. 150 dated September 3, 1999 is hereby repealed. All other orders, issuances, rules and regulations, or parts thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 14. *Effectivity*. - This Executive Order shall take effect immediately.

DONE in the City of Manila, this 12th day of January, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 197

DIRECTING ALL DEPARTMENTS, BUREAUS, COMMISSIONS, AGENCIES, OFFICES AND INSTRUMENTALITIES OF THE NATIONAL GOVERNMENT, INCLUDING GOVERNMENT-OWNED OR CONTROLLED CORPORATIONS, TO INCREASE THEIR RATES OF FEES AND CHARGES BY NOT LESS THAN 20 PERCENT

WHEREAS, pursuant to Sec. 54, Chapter 12, Book IV of Executive Order No. 292 (Administrative Code of 1987), heads of bureaus, offices or agencies, may, upon approval of the department head, charge and collect the cost of the services rendered by the bureau, office or agency concerned;

WHEREAS, it is only proper that the persons receiving the services for which the fees and charges are imposed should be made to share the burden of the expenses incurred by the government;

WHEREAS, despite Executive Order No. 159, series of 1994, directing all departments, bureaus, commissions, agencies and instrumentalities of the national government, including government-owned or controlled corporations, to adjust their fees and charges by just and reasonable rates sufficient to cover the full cost of services rendered, only very few agencies have complied;

NOW, THEREFORE, I, JOSEPH E. ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, hereby order:

Section 1. All departments, bureaus, offices, agencies and units, including government-owned or controlled corporations, are hereby directed to review and upgrade their rates of fees and charges by not less than twenty percent (20%).

The revised rates shall, wherever practicable, be uniform for similar or comparable services and functions and shall be determined by the respective department heads, governing boards, or equivalent functionaries; Provided, that this Executive Order shall not apply to fees charged by the Department of Foreign Affairs for the processing of passports of Overseas Filipino Workers and other fees charged by departments, bureaus, offices, units, and agencies, including government-owned or controlled corporations, related to constitutionally mandated free or subsidized services, such as in education (government colleges and universities) and in health, as well as to those exempted by international agreements, as shall be determined by the President.

Section 2. The heads of departments shall be responsible for the implementation of this Executive Order by the bureaus, offices, units, and agencies, including government-owned or controlled corporations, within their respective jurisdictions.

Section 3. The Department of Finance and the Department of Budget and Management shall jointly promulgate the rules and regulations to implement this Executive Order and monitor compliance by agencies.

Section 4. All executive issuances or parts thereof which are inconsistent with any of the provisions of this Executive Order are hereby repealed or modified accordingly.

Section 5. This Executive Order shall take effect immediately.

Done in the City of Manila, this 13th day of January, in the year of Our Lord, Two Thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 198

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE PREFERENTIAL TARIFF RATES ON CERTAIN PRODUCTS UNDER THE ASEAN INDUSTRIAL COOPERATION (AICO) SCHEME

WHEREAS, the Philippines is a Contracting Party to the Basic Agreement on the AICO Scheme signed in Singapore on 27 April 1996;

WHEREAS, the AICO Scheme seeks to improve the competitive position of ASEAN companies in the global and ASEAN markets by providing the means to apply the principles of economies of scale and scope in the manufacturing process, supported by preferential import duties to enhance across ASEAN border transactions;

WHEREAS, the Philippines is a participating country in the approved AICO Schemes of Honda Cars Phils. Inc. (HCPI) and Toyota Motor Philippines, Corp. (TMPC) along with Indonesia and Malaysia;

WHEREAS, under the Honda AICO Arrangement, it was agreed that the Philippines (Honda Cars Phils., Inc.) will import various component parts from Indonesia (P.T. Honda Prospect Motor) and Malaysia (Honda Autoparts Manufacturing (M) Sdn. Bhd.) for the original equipment manufacture (OEM) of Honda models Civic, City and Accord passenger cars. In exchange, Indonesia (P.T. Honda Prospect Motor) will import certain automotive component parts from the Philippines (Honda Cars Phils., Inc.) for the OEM of Honda models Civic, City and Accord passenger cars;

WHEREAS, under the Toyota AICO Arrangement, the Philippines (Toyota Motor Philippines Corp.) will import from Malaysia (T & K Autoparts Sdn. Bhd.) for the original equipment manufacture (OEM) of Toyota Corolla passenger cars and TUV light commercial vehicles for the transport of persons and goods.

WHEREAS, AICO Certificates of Eligibility Nos. Honda/1998/3(A) and Honda/1999/5 were issued on 22 June and 1 July 1999, respectively in favor of the participating companies in the Honda AICO Arrangement; AICO Certificate of Eligibility No. Toyota/1998/3(A) was issued on 30 June 1999 in favor of the participating companies in the Toyota AICO Arrangement.

WHEREAS, in consonance with Articles 5 and 7 of the Basic Agreement on the AICO Scheme, participating companies in the approved Honda Arrangement shall qualify for 0 - 5% preferential tariff rate to be extended by the Philippines, Indonesia and Malaysia as participating countries, effective within 45 days from the date of issuance of the Certificate of Eligibility by the ASEAN Secretariat;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, pursuant to the powers vested in me under Section 402 of the Tariff and Customs Code of 1978, as amended, do hereby order:

SECTION 1. The articles specifically listed in Annex "A" hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded the AICO rate of 5% as specified in Column 6 thereof.

SEC. 2. The AICO rates provided in Annex "A" shall be accorded to the AICO entity in Indonesia (P.T. Honda Prospect Motor) effective from 1 July 1999 and to the AICO entity in Malaysia (Honda Autoparts Manufacturing (M) Sdn. Bhd.) effective from 22 June 1999.

SEC. 3. The articles specifically listed in Annex "B" hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded the AICO rate of 3% and 5% as specified in Column 6 thereof.

SEC. 4. The AICO rates provided in Annex "B" shall be accorded to the AICO entity in Malaysia (T & K Autoparts Sdn. Bhd.) effective from 30 June 1999.

SEC. 5. In the event that any subsequent changes are made in the basic (MFN) Philippine rate of duty on the articles listed in Annexes "A" and "B" to a rate lower than the AICO rate prescribed in Column 6 thereof, such article shall automatically be accorded the corresponding reduced rate of duty. Effective 1 January 2003, the final CEPT rate on the subject article shall apply.

SEC. 6. Upon the effectivity of this Executive Order, the article specifically listed in the aforesaid Annexes "A" and "B" which are entered or withdrawn from warehouses in the Philippines for consumption shall pay the applicable AICO preferential tariff rate specified under Section 1 hereof, subject to qualification under the Rules of Origin for the CEPT, as evidenced by the Certificate of Origin - Form "D".

SEC. 7. Any revision/s to the part numbers appearing in Column 4 of Annexes "A" and "B" shall be communicated immediately to the Bureau of Customs by the Board of Investments within five (5) days after receipt of the official copy of the revised part numbers from the ASEAN Secretariat.

SEC. 8. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 15th day of Jan., in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Reference: Annexes A and B

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 199

CREATING A PRESIDENTIAL COMMISSION TO MONITOR COMPLIANCE WITH THE PROVISIONS OF THE “AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA REGARDING THE TREATMENT OF UNITED STATES ARMED FORCES VISITING THE PHILIPPINES,” PRESCRIBING ITS AUTHORITY AND FUNCTIONS

WHEREAS, the “Agreement between the Government of the Republic of the Philippines and the Government of the United States of America Regarding the Treatment of United States Armed Forces Visiting the Philippines,” hereinafter referred to as the “VFA,” was signed by Foreign Affairs Secretary Domingo L. Siazon, Jr., and United States Ambassador Thomas C. Hubbard on 10 February 1998;

WHEREAS, the VFA is essentially a framework for promoting the common security interests of the Republic of the Philippines and the United States of America by strengthening their bilateral defense partnership, as embodied by the 1951 Mutual Defense Treaty;

WHEREAS, the Philippine Senate, through Senate Resolution No. 18, concurred in the ratification of the VFA and urged the President to create a board or commission that will assess the workings of the VFA and submit a yearly recommendation to the President of the Philippines on whether or not the Agreement continues to serve the national interest;

WHEREAS, the VFA took effect on 01 June 1999 after the Government of the Republic of the Philippines and the Government of the United States of America notified each other that their respective constitutional requirements for entry into force have been duly complied with;

WHEREAS, the Administrative Code of 1987 empowers the President with the continuing authority to reorganize the Office of the President and to transfer functions from one department or agency to another;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. ORGANIZATION. A Presidential Commission on the Visiting Forces Agreement, hereinafter referred to as the “Commission” is hereby created under the Office of the President.

SEC. 2. COMPOSITION. The Commission shall be composed of the following:

The Secretary of Foreign Affairs	Chairman
The Secretary of National Defense	Co-Chairman
The Secretary of Justice	Member
The Secretary of Social Welfare and Development	Member
The Secretary of Health	Member
The Secretary of Environment and Natural Resources	Member
The Secretary of Finance	Member
The Secretary of Interior and Local Government	Member

The Head, Presidential Legislative Liaison Office	Member
The Press Secretary	Member
The National Security Adviser	Member
Two (2) Representatives from the Private Sector and Non-Government Organizations to be appointed by the President	Member

SEC. 3. POWERS AND FUNCTIONS. The Commission shall have the following powers and functions:

- a) Ensure respect for Philippine laws, state policies, public morals, customs and traditions and strict compliance with the provisions of the VFA and the rules and regulations promulgated by the concerned Departments and Agencies.
 - b) Coordinate with the concerned Departments and Agencies for the issuance of the appropriate Implementing Rules and Regulations (IRRs) for the VFA, providing clear guidelines on, among others:
 - the entry and temporary stay of United States military and civilian personnel;
 - the entry and movement of United States military vessels, aircraft and vehicles;
 - b.3 the protection of public health;
 - the protection and preservation of the environment;
 - the disposition of military equipment and other provisions brought into the country by United States military and civilian personnel; and
 - the prosecution of offenses that may be committed during activities under the VFA;
 - c) Monitor, in coordination with the appropriate government and non-government agencies, the activities of foreign military and civilian personnel for the duration of activities held under the VFA;
 - d) Assess the environmental, social, and health impact of activities held under the VFA on the areas where they are held and to come up with recommendations designed to mitigate the impact of such activities;
 - e) Submit regular reports to the President that would contain an assessment of whether the VFA continues to serve, among others, the national security interest;
 - f) Organize and oversee local coordinating committees that will assist the Commission in the performance of its functions;
 - g) Coordinate with the Legislative Oversight Committee in ensuring that the implementation of the VFA continues to serve the national interest;
 - h) Recommend the passage of appropriate issuances and/or legislation necessary for the proper enforcement of the provisions of the VFA;
 - i) Enlist the assistance of any Branch, Department, Bureau, Office or Agency of the Government in the performance of the Commission's duties;
 - j) Conduct continuing information and educational campaigns on the VFA;
 - k) Extend appropriate assistance to claimants for damage, loss, personal injury or death, caused by acts or omissions of US personnel or otherwise incidental to the non-combat activities of US forces; and
 - l) Perform such other powers and functions as the President may direct.
-

SEC. 4. CONTROL AND SUPERVISION. The Commission shall be under the control and supervision of the President. The Commission shall report and be directly responsible to the President.

SEC. 5. EXECUTIVE DIRECTOR. The Chairman of the Commission shall designate a senior official of the Department of Foreign Affairs as Executive Director of the Commission. The Executive Director shall report directly to the Chairman of the Commission. The Executive Director shall have direct operational and supervisory authority over personnel from the concerned government agencies who may from time to time be detailed to the Commission to provide technical and administrative support.

SEC. 6. FUNDING. Subject to the usual auditing and accounting rules and regulations, the Commission shall be provided with an initial annual allocation of TWENTY MILLION PESOS (₱20,000,000.00) to be drawn from the President's Contingency Fund. Appropriations for the succeeding years shall be incorporated in the budget proposal for the Office of the President.

SEC. 7. PARTICIPATION BY PRIVATE SECTOR AND NON-GOVERNMENT ORGANIZATIONS. In the performance of its duties and responsibilities, the Commission shall encourage the participation of local private sector and non-government organizations based in the areas where activities in connection with the VFA will be held.

SEC. 8. EFFECTIVITY. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 17th day of January, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 200
AUTHORIZING THE ISSUANCE OF ONSHORE SPECIAL MINERALS EXTRACTION
PERMITS TO QUALIFIED GOVERNMENT ENTITIES/INSTRUMENTALITIES
FOR GOVERNMENT PROJECTS

WHEREAS, the 1987 Constitution provides that all lands of the public domain, minerals, coal, petroleum and other natural resources are owned by the state and that their exploration, development and utilization shall be under the full control and supervision of the State;

WHEREAS, Section 4 of the Republic Act (R.A.) No. 7942, otherwise known as the “Philippine Mining Act of 1995”, provides that mineral resources are owned by the State; that the exploration, utilization and processing thereof shall be under the State’s full control and supervision, and that the State may directly undertake such activities.

WHEREAS, Section 8 of R.A. No. 7942 provides that the Department of Environment and Natural Resources (DENR) shall be the primary government agency responsible for the conservation, management, development and proper use of the State’s mineral resources, including those in reservations, watersheds areas and lands of public domain;

WHEREAS, Section 9 of R.A. No. 7942 provides that the Mines and Geosciences Bureau (MGB) shall have direct charge in the administration and disposition of mineral lands and mineral resources, both offshore and onshore;

WHEREAS, pursuant to Executive Order No. 786 dated March 19, 1982, the Natural Resources Development Corporation (NRDC), as a government corporation and corporate arm of the DENR, is mandated to help promote the development of the country’s natural resources, including minerals;

WHEREAS, quarry, sand, gravel, clay and related materials from onshore areas are highly suitable raw materials for government infrastructure projects, specially flagship projects, and other related civil works;

WHEREAS, it is in the national interest to prioritize government projects in the utilization of these materials to enhance the delivery of services vital to the Government’s economic and social development programs;

WHEREAS, it is necessary to ensure adequate, low-cost and continuous supply of these raw materials in order not to hamper or delay the implementation of government projects;

WHEREAS, the potential environmental impacts of mining/quarrying operations require appropriate safeguards and adequate mitigating measures to be set in place under the strict supervision of the DENR;

WHEREAS, Section 49 of R.A. No. 7942 provides for the issuance of Government Gratuitous Permit to any government entity/instrumentality for the extraction of certain minerals for government projects, over an area of not more than two (2) hectares for a period co-terminous with the project;

WHEREAS, R.A. No. 7942 does not clearly provide for the appropriate permitting mechanisms in the extraction of quarry, gravel, sand, clay and other related materials needed for government projects over an area exceeding two (2) hectares;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Authority for the Issuance of Special Minerals Extraction Permit (SMEP).* The DENR is hereby authorized to issue a Special Minerals Extraction Permit (SMEP), including Interim Permit to NRDC or any qualified government entity/instrumentality for the exploration, development, utilization and/or disposition of quarry, sand, gravel, clay and other related materials needed for a government project from onshore areas exceeding two (2) hectares, including areas covered by pending mining application(s). For this purpose, the Permittee may enter into a Memorandum of Agreement (MOA) with the concerned government entity/instrumentality and/or avail the services of a qualified service contractor(s).

SEC. 2. *Issuance of Government Gratuitous Permit.* For the exploration, development, utilization and/or disposition of quarry, sand, gravel, clay and other related materials needed for a government project from onshore areas of not more than two (2) hectares, the issuance of a Government Gratuitous Permit by the concerned Provincial Governor/City Mayor, thru the Provincial/City Mining Regulatory Board (P/CMRB), shall be in accordance with the pertinent provisions of R.A. No. 7942 and its Revised Implementing Rules and Regulations (DAO No. 96-40); Provided, That in no case shall the Provincial Governor/City Mayor issue more than one (1) Government Gratuitous Permit for a single government project.

SEC. 3. *Authority of NRDC to Collect Certain Fees.* In the case where the NRDC is the permittee, it is authorized to collect management, service, environmental user's and other fees from the concerned government entity/instrumentality and/or contractors/subcontractors. Such fees shall be shared in accordance with the sharing scheme to be provided for under the Implementing Rules and Regulations of this Order.

SEC. 4. *Implementing Rules and Regulations.* The DENR shall formulate and issue the necessary rules and regulations to implement this Order.

SEC. 5. *Repealing and Amending Clause.* All orders, issuances, rules and regulations or parts thereof which are inconsistent with any of the provisions of this Order are hereby repealed or amended accordingly.

SEC. 6. *Effectivity.* This Order shall take effect immediately.

DONE in the City of Manila, this 17th day of January, in the year of our Lord, two thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 201
PROVIDING ADDITIONAL POLICIES AND GUIDELINES IN THE PROCUREMENT OF GOODS
AND SUPPLIES BY THE NATIONAL GOVERNMENT

WHEREAS, the increasing prevalence of information technology in commercial transactions requires corresponding changes in existing procurement procedures;

WHEREAS, recent developments in information technology provide alternative means of procurement using the convenience and cost-effectiveness of electronic and telecommunications technology;

WHEREAS, the Armed Forces of the Philippines (AFP) Modernization Act of 1995 mandates the Department of National Defense (DND)-AFP to strengthen its systems and procedures for equipment acquisition, taking into account new requirements under the AFP Modernization Program;

WHEREAS, international defense procurement procedures involving sophisticated defense equipment and weapons systems allow the submission of bids without a bid bond but with other forms of security, such as the sovereign guarantee by the bidder's government;

WHEREAS, there is a need to allow DND-AFP to adopt procurement procedures that will enable it to procure the best equipment and weapons systems that its modernization funds can afford from the market;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Section 1 of Executive Order No. 302, series of 1996, is hereby amended to read as follows:

“SECTION 1. A set of rules and regulations covering contracts for the procurement of goods and supplies for both project-related and normal/regular operation and maintenance activities of the National Government be adopted for the following purposes:

- a. to purchase goods of acceptable quality at fair and reasonable prices from qualified and capable suppliers/manufacturers/distributors, with on time delivery and satisfactory compliance of all contract terms and conditions;
 - b. to assure fair and equitable treatment of suppliers/manufacturers/distributors, including arrangements for prompt payments;
 - c. to accomplish procurement through open competitive bidding in the interest of economy and efficiency;
 - d. to adopt procurement procedures that utilize information technology; and
 - e. to maintain and collect data for refinement of procurement policies and procedures based on experiences gained.”
-

SEC. 2. Solely for purposes of procurement involving sophisticated defense equipment and weapons systems under the AFP Modernization Program, DND-AFP is hereby authorized to accept bids with alternative bid securities such as, but not limited to, the sovereign guarantee of the bidder's government.

SEC. 3. The Committee on Infrastructure (INFRACOM) of the NEDA Board shall, subject to approval of the President, formulate and promulgate the rules and regulations to implement the amendment to Executive Order No. 302, series of 1996, embodied in Section 1 of this Executive Order.

SEC. 4. The Secretary of National Defense shall issue rules and regulations to implement Section 2 of this Executive Order.

SEC. 5. If any provision of this Executive Order and its implementing rules and regulations is held invalid, the other provisions not affected thereby shall remain valid and continue in operation.

SEC. 6. All other orders, memorandum circulars, rules and regulations, and other issuances inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 7. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 8th day of January, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE REPUBLIC OF THE PHILIPPINES

EXECUTIVE ORDER 202
PROVIDING FOR THE CREATION OF A PHILIPPINE TASK FORCE ON HAZARDOUS WASTES
IN FORMER U. S. MILITARY INSTALLATIONS

WHEREAS, on September 16, 1991, the Philippine Senate voted against the United States Military Bases Treaty, ending the presence of permanent military bases in the Philippines;

WHEREAS, the rapid and efficient reuse of these properties is crucial to the economic recovery and development into economic zones of the sites of the former U.S. military bases in the Philippines and is directly dependent upon the efficiency of environmental investigations, clean-up and restoration;

WHEREAS, the United Nations Commission on Human Rights adopted a resolution on February 24, 1995 on Human Rights and Environment, recognizing that the illicit dumping of toxic and dangerous wastes threatens the right to life and health;

WHEREAS, the reuse of the former military installations or portions thereof must ensure the protection of human health and the environment;

WHEREAS, the reuse of these properties is designed to preserve valuable assets such as infrastructure so as to provide a stimulus to the local economy;

WHEREAS, there is a need to formally create a Philippine Task Force on Hazardous Wastes as an inter-agency task force to coordinate and direct clean-up plans of action, programs and projects;

NOW THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the power vested in me by law, do hereby order:

Section 1. Creation of a Task Force on Hazardous Wastes. There is hereby created the Philippine Task Force on Hazardous Wastes in Former U. S. Military Installations, hereinafter referred to as the Philippine Task Force (PTF), under the joint administrative and technical supervision of the Department of Foreign Affairs (DFA) and the Department of Environment and Natural Resources (DENR).

Sec. 2. Membership.

2.1. Composition. The Task Force on Hazardous Wastes shall be composed of the following:

Chairman

Secretary of Foreign Affairs (DFA)

Co-Chairman

Secretary of Environment and Natural Resources (DENR)

Members

Secretary of Health

2. Secretary of Science and Technology (DOST)

3. Secretary of Socio-Economic Planning and NEDA

Director-General (NEDA)

4. Director of the Philippine Nuclear-Research Institute (PNRI)

5. Chairman and President of the Bases Conversion and Development Authority (BCDA)
6. Chairman and Administrator of the Subic Bay Metropolitan Authority (SBMA)
7. President and CEO of the Clark Development Corporation (CDC)
8. Director-General of the Philippine Information Agency (PIA)

2.2 Creation of a Technical Working Group. There is hereby created the Technical Working Group (TWG) to assist the PTF on technical matters related to the bases clean-up. The members of the TWG shall be composed of the designated official and alternate representatives of the PTF members from the following offices:

Chairman	Environment and Management Bureau (DENR)
Co-Chair	Environmental Health Services (DOH)
Members	Office of American Affairs
	Industrial Technology Development Institute (DOST)
	NEDA
	PNRI
	BCDA
	CDC
	Ecology Center and Health and Welfare Dep't (SBMA)
	PIA

2.3 Administrative Support. The DFA shall serve as the Secretariat to the PTF. As such, it shall provide administrative support to the PTF to enable it to discharge its duties and functions.

2.4 Expansion of Membership. The PTF may include other government agencies of the Republic of the Philippines. The PTF may also invite non-government organizations, people's organizations and other individuals or entities as resource persons in the PTF meetings, as the need arises.

Sec. 3. Duties and Functions. The PTF shall pursue the following duties and functions:

1. Formulate plans of action in addressing the issue of hazardous wastes in the former U.S. military installations.
2. Ensure that studies are undertaken to assess the extent of hazardous waste contamination and its effects on the environment and human health.
3. Initiate and coordinate clean-up and environmental restoration efforts of contaminated sites identified and assessed by Subic and Clark studies.
4. Undertake immediate actions to address the identified environmental and health concerns in Subic, Clark and other former military bases.
5. Ensure long-term capacity building programs of technical transfer which focus on contamination identification, contamination assessment, contamination clean up and laboratory analysis at the former U.S. military installations.

6. Secure the firm cooperation of U.S. agencies, the private sector and other entities in harnessing and making available technical, administrative and financial resources for effective implementation of the plans of action, programs and projects of the PTF.
7. Assist in the formulation and implementation of applicable government policies, laws, rules and regulations in connection with the clean up of hazardous wastes in former U.S. military installations.
8. Coordinate the conduct of public information, education, communication campaign on the hazards and risks, if any, involved in the reuse of former U.S. military installations in the Philippines and the need for contamination assessment and clean-up.
9. Pursue other related functions which may be deemed necessary by the President.

Sec. 4. Funding. The funds for the initial year of operations of the PTF, in the amount of fifty million pesos (P50M), shall be sourced from the President's Contingent Fund or Social Fund. Thereafter, the Task Force shall submit an annual budget to be incorporated into the annual budgetary allotment of the DFA, providing for, among other things: consultancy fees to experts; honoraria for members and other resource persons; and, participation in specialized training courses, subject to applicable accounting and auditing rules and regulations.

Sec. 5. Effectivity. This Order shall take effect immediately.

Done in the City of Manila, this 18th day of January, in the year of our Lord, two thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

RONALDO B. ZAMORA
Executive Secretary

Source: Presidential Management Staff

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 203
ESTABLISHING AN INTER-AGENCY COMMITTEE ON THE SHARED GOVERNMENT
INFORMATION SYSTEM FOR MIGRATION

WHEREAS, it is the policy of the State to uphold the dignity of its citizens, whether in the country or overseas;

WHEREAS, it is the policy of the State to protect the interests of labor in general, as well as that of overseas migrant workers in particular, whether documented or irregular;

WHEREAS, the State recognizes not only the important contribution of overseas migrant workers to the country, but also the vulnerable situations they are often placed in;

WHEREAS, in order for the government agencies to fully, swiftly and in unity address general and specific concerns of migrant workers and overseas Filipinos, there is a need for government agencies to have access to related information;

WHEREAS, Republic Act 8042, otherwise known as the “Migrant Workers and Overseas Filipinos Act of 1995” provides for the establishment of a Shared Government Information System for Migration;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Establishment of the Inter-Agency Committee on the Shared Government Information System for Migration. The Inter-Agency Committee on the Shared Government Information System for Migration (IAC-SGISM) is hereby established.

Sec. 2. Composition of the IAC-SGISM. Said Inter-Agency Committee shall be composed of the following agencies:

- a) Department of Foreign Affairs, as Chairman;
- b) Department of Labor and Employment, as Vice-chairman;
- c) Department of Justice;
- d) Department of Tourism;
- e) Bureau of Immigration;
- f) Commission on Filipinos Overseas;
- g) National Bureau of Investigation;
- h) National Statistics Office;
- i) Overseas Workers Welfare Administration; and
- j) Philippine Overseas Employment Administration

Sec. 3. Support Agencies. The IAC-SGISM may seek the assistance and support of the Department of Social Welfare and Development, National Computer Center, National Labor Relations Commission, National Statistical Coordination Board, Philippine National Police (PNP), Office of the Presidential Adviser for OFW Affairs, and Philippine Charity Sweepstakes Office in the implementation of its mandate.

A Technical Committee shall be created from among the IAC and the support agencies in the development and implementation of the SGISM.

Sec. 4. Information Sharing. The Inter-Agency Committee shall initially tap the information contained in existing database/files. The second phase shall involve the linking of computer facilities in order to allow free-flow data exchanges and sharing among the agencies concerned.

Sec. 5. Security and Confidentiality of Data/Information. Information and data acquired through this shared information system shall be treated as confidential and shall only be used for lawful and official purposes, in connection with the usual functions of the member agencies, and for purposes envisioned by R.A. 8042.

Accordingly, access and use of the said data/information shall be limited to the heads of agencies, their deputies/assistants, and officers who are directly responsible in implementing the agency's participation in the IAC-SGISM.

Access of other staff to selected data/information will be on a need-to-know basis and will require the appropriate security clearance from the head of agency.

Member-agencies of the IAC and the support agencies will formulate the necessary guidelines that will define the levels of access and security guidelines for this purpose.

The IAC and the Support Agencies will work towards the promotion of transparency on the matter of sharing data not only among themselves, but with the public, and ultimately declassify data with a view of promoting public participation in policy making and program development.

Sec. 6. Sharing of Databases. The Inter-Agency Committee and the Support Agencies shall convene to identify existing databases which shall be declassified and shared only by and among member agencies. These shared databases shall include, but not limited to the following:

- a) Masterlists of Filipino migrant workers/Filipino emigrants/Filipino fiancees/spouses of foreign nationals and other categories of Filipino nationals overseas classified according to occupation/job category, age, sex, civil status, by country/state of destination, including visa classification;
- b) Inventory of pending legal cases involving Filipino migrant workers and other Filipino nationals, including those serving prison terms;
- c) Masterlists by age and sex of departing/arriving Filipinos;
- d) Statistical profile on Filipino migrant workers/Filipino emigrants/Filipino fiancees/spouses of foreign nationals/Filipino tourists and other agencies of Filipino nationals overseas;
- e) Blacklisted foreigners/undesirable aliens, including, but not limited to serial/multiple sponsors of Filipino fiancees/spouses, and those involved in reported cases of domestic violence and other offenses against Filipino nationals or violations of the laws of the Philippines;
- f) Data on legal systems, immigration policies, marriage laws and civil and criminal codes in destination countries, particularly those with large numbers of Filipinos;
- g) List of labor and other human rights instruments where destination countries are signatories;
- h) A tracking system of past and present gender disaggregated cases involving migrant workers;
- i) List of overseas posts which may render assistance to overseas Filipinos, in general, and migrant workers, in particular;
- j) List of accredited recruiters and recruitment agencies;
- k) List of accredited foreign employers;
- l) List of recruiter and recruitment agencies with decided/pending criminal/civil/administrative cases, and their dispositions;

-
- m) Status of complaints for money claims and other legal cases filed by Filipino migrants before appropriate courts and adjudication bodies in the country;
 - n) Established protocols or guidelines governing enforcement of laws, handling and adjudication of cases, and other procedures relevant to the various processes involved in the different stages of the migration process;
 - o) List of children issued travel clearance, children for adoption abroad and children for repatriation/repatriated, list of women and children trafficked;
 - p) Compilation of recent economic/political conditions or situationers in countries where there are Filipino migrant workers;
 - q) Treaties which may directly or indirectly affect Filipino migrant workers; and
 - r) Other information which may be established as essential for data sharing by the IAC and the Support Agencies.

The sharing of the above-enumerated database and other information shall be governed by the guidelines to be established by the IAC and Support Agencies.

Sec. 7. Reporting. The Inter-Agency Committee and the Support Agencies shall submit appropriate reports and recommendations to the President. It shall also provide relevant and factual information as basis for the joint report to Congress by the DFA and DOLE.

Sec. 8. Secretariat. A secretariat, which shall provide administrative and support services to the Inter-Agency Committee, shall be provided for by the DFA.

Sec. 9. Funding. The amount of Ten Million Pesos (P20 M) from the Philippine Charity Sweepstakes Office is hereby allocated to carry out the provisions of this Executive Order. Thereafter, the actual budget of the Inter-Agency Committee shall be drawn from the General Appropriations Act in accordance with Section 38 of R.A. 8042.

Sec. 10. Effectivity. This Executive Order shall take effect immediately.

Done in the City of Manila, this 20th day of January, in the year of Our Lord, two thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 204
ESTABLISHING AN INTER-AGENCY STEERING COMMITTEE TO ASSIST LOCAL
GOVERNMENT UNITS IN THE PREPARATION AND COMPLETION OF THEIR
COMPREHENSIVE LAND USE PLANS

WHEREAS, Executive Order No. 72, series of 1993, provides for the preparation and implementation by local government units (LGUs) of Comprehensive Land Use Plans (CLUPs) pursuant to the Local Government Code of 1991;

WHEREAS, the President directed the Department of the Interior and Local Government and the Housing and Land Use Regulatory Board to ensure that the CLUPs of LGUs have been finalized and approved by March 2000;

WHEREAS, some 909 cities/municipalities may not be able to complete or update their CLUPs by March 2000;

WHEREAS, to expedite the completion of all CLUPs by 30 June 2000, there is a need to constitute an inter-agency coordinating body to provide technical assistance to LGUs in the formulation/updating and approval of their CLUPs.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order:

Section 1. Establishment of the Inter-Agency Steering Committee. There is hereby established an Inter-Agency Steering Committee to assist LGUs in the preparation and completion of their CLUPs.

The Committee shall be composed of the following:

Secretary, Department of the Interior and Local Government	Chairman
Chief Executive Officer, Housing and Land Use Regulatory Board	Co-Chairman
Director General, National Economic and Development Authority	Member
Secretary, Department of Agriculture	Member
Secretary, Department of Agrarian Reform	Member
Secretary, Department of Environment and Natural Resources	Member
Secretary, Department of Tourism	Member
Secretary, Department of Trade and Industry	Member
Secretary, Department of Transportation and Communications	Member
Secretary, Department of Budget and Management	Member

Section 2. Functions. The Committee shall have the following functions:

- a. Provide technical assistance to LGUs in the preparation and approval of their CLUPs. Technical assistance shall be in the form of provision of planning guidelines and standards,

- consultation on all phases of plan formulation, training on planning techniques/methodologies, and institutionalization of planning at the local level.
- b. Ensure that the CLUPs of LGUs are consistent with the Medium-Term Philippine Development Plan (1999-2004) for Shelter and Urban Development and other national policies, plans and programs.
 - c. Organize Local Planning Teams to be composed of city/municipal development staff, which shall be responsible for the actual preparation of the CLUPs.
 - d. Prepare implementing guidelines as may be necessary.

Section 3. Technical Working Groups. The Committee may create technical working groups (TWGs) at the national or regional level as may be necessary in the performance of its functions.

Section 4. Administrative Support. The DILG and the HLURB shall provide secretariat support to the Committee and the TWGs.

Section 5. Funding. The DBM is hereby directed to identify sources of funding for the operations and activities of the Committee.

Section 6. Reporting Requirements. The Committee shall prepare monthly reports to the President, through the Presidential Management Staff, on the status of its activities.

Section 7. Repealing Clause. All issuances, orders, rules and regulations or parts thereof which are inconsistent herewith are hereby repealed or modified accordingly.

Section 8. Effectivity. This Executive Order shall take effect immediately.

Done in the City of Manila, this 20th day of January, in the Year of our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 205

PROVIDING FOR THE CREATION OF A NATIONAL HEALTH PLANNING COMMITTEE
(NHPC) AND THE ESTABLISHMENT OF INTER-LOCAL HEALTH ZONES (ILHZs)
THROUGHOUT THE COUNTRY, AND FOR OTHER PURPOSES

WHEREAS, the 1987 Constitution provides that the State shall promote and protect the general well-being of the citizenry;

WHEREAS, R.A. 7160, otherwise known as the 1991 Local Government Code mandated for the devolution of the delivery of the health services and facilities as one of the basic functions and responsibilities of all the local government units or LGUs at all levels;

WHEREAS, Sec. 33 of R.A. 7160, further provides that LGUs may “group themselves, consolidate their efforts and services and resources for purposes commonly beneficial to them where they may, upon approval of the sanggunian concerned,... xxx ... under such terms and conditions as may be agreed upon by the participating LGUs through a Memorandum of Agreement”;

WHEREAS, through the initiative of the League of Provinces of the Philippines (LPP), in coordination with the Department of Health (DOH) and the Department of the Interior and Local Government (DILG), a “Health Covenant ’99” was forged among the above-mentioned stakeholders and participants of the “Governors’ Workshop on Health: Partnership for Devolution”, held last March 9-10, 1999 at Pasay City, with the main objective of achieving an integrated health care delivery system at the national and local levels by the year 2000, and thereafter;

WHEREAS, based on the Health Covenant, and as agreed upon by the participants of the said Workshop, foremost of the major recommendations specified therein to meet the objectives set forth were as follows: (1) the creation of a National Health Planning Committee (NHPC) to oversee and ensure adherence by all LGUs and concerned stakeholders to appropriate guiding principles and coordinated planning and implementation of a comprehensive and integrated National and Local Health Plans as well as priority programs and projects by all LGUs through their local health boards (LHBs); (2) the establishment of “Inter-Local Health Zones” throughout the country, through Inter-Local Government Cooperation defining their mechanisms, governing structures, powers and functions, and funds and resources, and (3) the reactivation and strengthening by the LGUs of their respective Local Health Boards (LHBs).

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue vested in me by the Constitution and the laws, do hereby order:

Section 1. Declaration of Policy. It is the policy of the State that full and integrated delivery and development of health care services throughout the country must be promoted, encouraged, and ensured, especially for the poor and marginalized sectors of society. Towards this end, the State shall provide for the participation and active involvement and collaboration of all local government units (LGUs) together with the major stakeholders, particularly with the Department of Health (DOH) and

the Department of Interior and Local Government (DILG) with the main objective of achieving an integrated health care delivery system at the national and local levels by the year 2000 and thereafter.

Section 2. Organization of the National Health Planning Committee (NHPC). The National Health Planning Committee, herein referred to as NHPC, is hereby constituted to serve as the overall coordinating body to oversee and ensure adherence by all LGUs and concerned stakeholders to appropriate guiding principles and coordinated planning and implementation of a comprehensive and integrated National and Local Health Plans and priority programs and projects by all LGUs through their local health boards (LHBs).

Section 3. NHPC Composition. Within one (1) month after the approval of this Executive Order, the NHPC shall be convened and composed of the following:

- | | |
|--|-------------------|
| 1. Secretary of the DOH | Chairman |
| 2. Secretary of DILG | Co-Chairman |
| 3. National President of the League of Provinces | Vice-Chairman |
| 4. Executive Secretary | Ex-Officio Member |
| 5. Chairman of Senate Committee on Health | Ex-Officio Member |
| 6. Chairman of House Committee on Health | Ex-Officio Member |
| 7. Secretary of the DBM | Member |
| 8. Two (2) representatives from the private sector | Members |

A Secretariat shall be organized to provide support to the NHPC. The DOH Secretary shall designate his Undersecretary to act as head of the NHPC Secretariat. The members of the Secretariat shall be composed of the following: Official representatives from the DOH, DILG, Union of Local Authorities of the Philippines (ULAP), League of Cities, League of Municipalities and Liga ng mga Barangay.

Section 4. NHPC Functions. Aside from the main responsibilities of the NHPC mentioned under Sec. 2 hereof, it is likewise expected to perform the following specific functions:

1. Ensure and sustain the agreements reached during the “Governors’ Workshop for Health” held last March 9-10, 1999, especially the recommendations specified under the “Health Covenant ’99”, as well as in the workshop outputs, which are both made an integral part of this Executive Order;
2. Promote policies, programs and projects on health to enhance local autonomy in planning and implementing an integrated health care delivery system and an integrated health plan at the national and local levels;
3. Formulate a partnership mechanism among all the LGUs, concerned National Government Agencies (NGAs), through the DOH and DILG, and the private sector, NGOs and civic groups to support the local health service delivery systems;
4. Ensure that all LGUs shall prioritize the reactivation and strengthening of the LHBs as an initial move in making decentralized health services work;
5. Recommend specific and adequate resources both in cash and in kind to be allotted to the LGUs by the concerned NGAs (i.e., DOH and DILG) to enhance local government capability, responsibility and accountability relative to the delivery of basic health services prior to the commencement of the annual planning calendar and budget cycle at the national, provincial and city levels, subject to the guidelines and criteria to be formulated by the NHPC in consultation with the LGUs, through the LPP and ULAP, and to ensure its inclusion in the preparation of the Annual General

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- Appropriations Act (GAA) budget of DOH and DILG beginning CY 2000 and every succeeding fiscal year for proper implementation of the consolidated National and Local Health Plans;
6. Act as the over-all coordinating body for all local health boards (LHB) and ensure the organization and/or reactivation of all LHBs at every local government level as well as their active involvement in the policy formulation and program planning and implementation of health services;
 7. Formulate the annual planning guides, standards and format that shall serve as the integrating principles for ensuring that there will be functional merger of the annual priority health programs and projects of the national and local governments that shall be carried out at the provinces with their component cities and municipalities and highly urbanized cities (HUCs). These Provincial/HUC Health Plans shall be submitted to the NHPC, copy furnished the Office of the President not later than forty-five (45) days after the signing of this Order;
 8. Recommend to the President an initiative scheme package for outstanding LGUs with the best local health plan implemented at their respective LGUs, including a health insurance scheme particularly to the 100 poorest families in every province and city;
 9. Submit a semi-annual and year-end report to the Office of the President; and
 10. Perform other functions that may be designated by the President or as may be deemed necessary by the NHPC Chairman.

Section 5. Establishment of the Inter-Local Health Zones. For the effective delivery of integrated health care and ensure smooth coordination between and among cities, municipalities and barangays, and pursuant to Section 33 of R.A. 7160, there are, hereby, established Inter-Local Health Zones (ILHZs) throughout the country whose organization is to be assisted by the DOH and DILG. These Inter-Local Health Zones comprise a well-defined population (by level of governance) in a rural or urban area, and all institutions and sectors whose activities contribute to improved health care delivery in that zone. The composition, functions and required resources of these ILHZs shall be approved by the NHPC upon endorsement by the Provincial Governor or City Mayor.

Section 6. Integrated Provincial/City Health Plan. In accordance with the guidelines promulgated by the NHPC, every municipality, component city and highly urbanized city through their respective local health boards must develop their own health plan which shall be integrated into an Inter-Zonal Health Plan incorporating two (2) levels of health care, namely: referral (district) hospital and identified set of main health centers/barangay health stations with catchment populations. These Inter-Zonal Health Plans shall be aggregated into a Provincial/City Health Plan taking into account the actual needs and available resources of their LGUs in relation to the national health objectives. All Provincial/City Health Plans shall be submitted to the NHPC on the date prescribed by the committee.

Section 7. Funding. All Governors, City and Municipal Mayors, through their respective Sanggunians, shall provide specific budgetary appropriations under their approved local development plan for the proper implementation of their respective health plans. As a counterpart support from the National Government, the DOH and other concerned NGAs shall likewise allocate and devolve funds to augment local funds intended for this purpose, as provided for under Article 31 of the IRR of R.A. 7160, subject to the guidelines and criteria to be set by the NHPC. The DOH shall set aside a separate fund for the technical and administrative operations of the NHPC Secretariat beginning CY 1999 and thereafter.

Section 8. Inter-Agency Coordination. All concerned Departments and other attached agencies, LGUs, GOCCs, and other instrumentalities of the government are hereby directed to cooperate and give their full support to the NHPC, ILHZs and LHBs to ensure the effective performance of their functions.

Section 9. Effectivity. This Order shall take effect immediately.

DONE in the city of Manila, this 31st day of January, 2000.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

EXECUTIVE ORDER NO. 206

**ENJOINING ALL SECTORS OF SOCIETY TO SUPPORT THE DEPARTMENT OF HEALTH IN
THE LABORATORY CONTAINMENT OF WILD POLIOVIRUS PRIOR TO CERTIFICATION
OF THE PHILIPPINES AND THE WESTERN PACIFIC REGION AS POLIO-FREE
BY THE YEAR 2000.**

WHEREAS, in 1988, the World Health Assembly adopted the goal of global eradication of poliomyelitis by the year 2000;

WHEREAS, the Western Pacific Region of the World Health Organization (WHO) where the Philippines is a member country is committed to the eradication of poliomyelitis by the year 2000;

WHEREAS, the Philippines has conducted National Immunization Days from 1993 to 1997 and Subnational Immunization Days from 1998 to 1999 by giving supplemental doses of Oral Polio Vaccine to all children less than 5 years old, achieving more than 90% coverage;

WHEREAS, Acute Flaccid Paralysis (AFP) Surveillance is an essential component of Polio Eradication in providing proof of the absence of wild poliovirus circulation;

WHEREAS, the last wild poliovirus case was isolated in Cebu in 1993 while the last poliovirus case in the Western Pacific Region was isolated in Cambodia in 1997;

WHEREAS, all government and non-government medical/biological laboratories nationwide remain to be potential sources of the wild poliovirus and these shall be subject to inspection so that proper containment measures will be applied to totally eradicate poliomyelitis;

WHEREAS, after polio immunization stops, the possibility of reintroduction of the wild poliovirus by one of these laboratories into the community poses a public health threat of global proportions; hence, the need for laboratory containment of wild poliovirus.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, PRESIDENT OF THE PHILIPPINES, by virtue of the powers vested in me by law, do hereby enjoin all government and non-government agencies to voluntarily cooperate, support and to designate a focal person in their respective agencies to collaborate with the Department of Health in the containment activities included in the National Plan of Action for Laboratory Containment of Wild Poliovirus.

To achieve this, the Department of Health (DOH) shall coordinate all activities and provide the necessary guidelines to make this project a success. As the lead agency, the DOH may call on the assistance of any government or non-government agency, professional groups, international organizations and other concerned sectors whenever necessary to achieve the goals of global polio eradication.

This Executive Order shall take effect immediately.

Done in the City of Manila, this 26th day of January, in the year of our Lord, Two Thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 207
DECLARING AND DELINEATING THE PULUPANDAN PORT ZONE UNDER THE
ADMINISTRATIVE JURISDICTION OF THE PHILIPPINE PORTS AUTHORITY

WHEREAS, the Port of Pulupandan has the potential to be developed into a major port;

WHEREAS, there is a need to define the port zone of the Port of Pulupandan for the planning and development of the necessary port facilities thereat to support the demands of shipping trade within the region;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order;

SECTION 1. The territorial jurisdiction of the Port of Pulupandan is hereby delineated and particularly described as follows:

“Beginning at point marked 1 on the plan, thence to point 2 at distance of 500.00m with bearing S53°30’ E, thence to point 3 at the distance of 2,000.00m with bearing S32°00’E, thence to point 4 at a distance of 2,165.03m with bearing S58°00’W, thence to point 5 at a distance of 3,999.98m with bearing N32°08’E, thence to point 8 at a distance of 620.01m with bearing S47°16’W, thence to point 1, the point of beginning at a distance of 240.00m with bearing S56°00’E, all in all comprising a total area of 8,980,425.45 sq. m., more or less.”

SEC. 2. The Pulupandan Port Zone, as thus delineated, is hereby placed under the administrative jurisdiction of the Philippine Ports Authority, which shall, consistent with the regional industrial plans of the Government, implement a program for the proper zoning, planning, development and utilization of the port.

SEC. 3. All orders, proclamations and issuances or portions thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 4. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 8th day of February, in the year of our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 208
MODIFYING THE NOMENCLATURE AND THE RATES OF IMPORT DUTY ON VARIOUS
PRODUCTS UNDER SECTION 104 OF THE TARIFF AND CUSTOMS CODE OF 1978
(PRESIDENTIAL DECREE NO. 1464, AS AMENDED)

WHEREAS, the reduction in the rates of duty of imported raw materials will provide the necessary assistance to domestic industries to be globally competitive;

WHEREAS, Section 401 of the Tariff and Customs Code of 1978, as amended, empowers the President to increase, reduce or remove existing rates of duty, as well as to modify the tariff nomenclature.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. The articles specifically listed in “Annex A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the rates of import duty in accordance with the schedule indicated opposite each article.

Sec. 2. The nomenclature and the rates of import duty on tariff headings not enumerated and those listed but represented by the symbol “X X X” shall remain in force and effect.

Sec. 3. Upon the effectivity of this Executive Order, the articles specifically listed in the aforesaid “Annex” which are entered in or withdrawn from warehouses in the Philippines for consumption shall be levied the rates of duty herein prescribed.

Sec. 4. All other Presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

Sec. 5. This Executive Order shall take effect thirty (30) days following its complete publication in two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, this 8th day February, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
RONALDO B. ZAMORA
Executive Secretary

Reference: Annex

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 209

GUIDELINES AND PROCEDURES FOR THE AVAILMENT BY COMMERCIAL FISHERS OF THE TAX AND DUTY EXEMPT IMPORTATION OF FISHING VESSELS, EQUIPMENT AND PARAPHERNALIA AND TAX AND DUTY REBATES ON FUEL CONSUMPTION PROVIDED FOR UNDER SECTION 35 OF REPUBLIC ACT NO. 8550, OTHERWISE KNOWN AS *THE PHILIPPINE FISHERIES CODE OF 1998*

WHEREAS, Section 35 of Republic Act 8550, otherwise known as “The Philippine Fisheries Code of 1998” provides for incentives for commercial fishers to fish farther into the Exclusive Economic Zone (EEZ);

WHEREAS, paragraphs b) and c) thereof provide:

- “b) commercial fishing vessel operators of Philippine registry shall enjoy a limited period of tax and duty exemptions on the importation of fishing vessels not more than five (5) years old, equipment and paraphernalia, xxx
- c) commercial fishing operator of Philippine registry engaged in fisheries in the high seas shall be entitled to duty and tax rebates on fuel consumption for commercial fisheries operations. xxx”

WHEREAS, in order to encourage fishing vessel operators to fish farther in the EEZ and beyond, these new incentives shall be granted in addition to incentives already available from the Board of Investments (BOI) under the Omnibus Investment Code of 1987. Such incentives shall be granted subject to exhaustive evaluation of resource and exploitation conditions in the specified areas of fishing operations;

WHEREAS, Sections 104 and 401 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, empower the President of the Republic of the Philippines, upon the recommendation of the National Economic and Development Authority, to increase, reduce, or remove existing protective rates of import duty, as well as to modify the form of duty.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The rules and regulations for (a) tax and duty exemption on the importation of fishing vessels/boats, equipment, and paraphernalia and (b) tax and duty rebates on fuel consumption shall be in accordance with and as outlined in ANNEX “A” hereof.

SECTION 2. The importation of articles specifically listed in ANNEX “B” hereof, classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded zero percent (0%) tax and duty for a period of five (5) years from the effectivity of this Executive Order. Provided that the importation of said articles shall be accompanied by an Authority to Import (ATI) issued by the Maritime Industry Authority (MARINA) and/or Certificate of Eligibility (CE) issued by the Bureau of Fisheries and Aquatic Resources (BFAR).

SECTION 3. The importation of articles specifically listed in ANNEX “C” hereof, classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded zero percent (0%)

tax and duty for a period of five (5) years from the effectivity of this Executive Order. Provided that such articles are not locally available of comparable quality, quantity and price as determined by the Board of Investments through the issuance of a Certificate of Non-Availability (CNA).

SECTION 4. The Department of Agriculture, Department of Finance and Board of Investments, in consultation with concerned private sector and other government institutions shall conduct an annual review of the attached ANNEXES “A, B & C” and shall report the findings of said review and recommend possible amendments to the President.

SECTION 5. All presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

SECTION 6. This Executive Order shall take effect thirty (30) days following its complete publication in two (2) newspapers of general circulation in the Philippines.

DONE in the City of Manila, this 9th day of February, in the year of our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Reference: Annexes A, B, and C

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 210
ADOPTING THE MAUNLAD NA NIYUGAN TUGON SA KAHIRAPAN PROGRAM
AND ESTABLISHING MECHANISMS FOR ITS IMPLEMENTATION

WHEREAS, 70 percent of our coconut land or about 2.1 million hectares of land are underutilized and unproductive;

WHEREAS, the underutilized areas can be tapped for diversified farming to increase the income of coconut farmers and improve their socio-economic condition;

WHEREAS, the Philippine Coconut Authority, in coordination with other agencies, devised the *Maunlad na Niyugan Tugon sa Kahirapan* Program, which embodies the strategies to enhance the productivity of coconut lands;

WHEREAS, there is a need to establish a mechanism to ensure the integrated and sustained implementation of the *Maunlad* Program.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Adoption of the *Maunlad na Niyugan Tugon sa Kahirapan* Program. The *Maunlad na Niyugan Tugon sa Kahirapan* Program, hereinafter referred to as the *Maunlad* Program, is hereby adopted. The *Maunlad* Program shall serve as one of the components of the *Agrikulturang Makamasa* Program, the national agricultural productivity program.

The *Maunlad* Program shall seek to improve coconut productivity and increase the annual income of coconut farmers from P10,000 to P100,000 per hectare through an efficient integrated coconut-based farming system. It shall also seek to increase coconut production through conservation, replanting and rehabilitation of the palm population.

SECTION 2. Components. The *Maunlad* Program shall include the following components:

- a. Establishment of Model Coconut Farms. A model coconut farm shall be a contiguous cluster of small coconut farms with an aggregate area of 15 to 20 hectares, fully intercropped with cash and commercial crops, provided with livestock, poultry and small ruminants, and equipped with water supply, production and processing facilities. It shall be owned or operated by a cooperative formed by coconut farmers, farm workers and members of their families living or working within the model farm site. Model coconut farms shall be established in 1,195 barangays covering 64 coconut-producing provinces and shall be replicated in 500,000 hectares of coconut land within the next four years.
- b. Coconut Replanting and Establishment of Local Nurseries. A coconut replanting program shall be implemented to regain lost hectareage due to the rampant cutting of coconut trees. Towards this, the Philippine Coconut Authority (PCA), in coordination with the Department of Agriculture (DA), its bureaus, attached agencies, regional field units, concerned national government agencies, local government units and accredited coconut farmer organizations,

shall carry out the establishment and maintenance of provincial, city, municipal and barangay nurseries for coconut and for high-value crops.

- c. Provision of Agricultural Infrastructure. The DA, Department of Public Works and Highways (DPWH), Department of Energy (DOE), Department of Transportation and Communications (DOTC), Department of the Interior and Local Government (DILG) and the Local Government Units (LGUs) shall include in their respective plans and programs the provision of irrigation, farm-to-market roads, post-harvest facilities, energy infrastructure, communication systems and other agricultural infrastructure to accelerate agricultural and fishery production, processing and marketing in coconut areas, particularly in model coconut farms.

The Program shall also have the following components: farmer development and socio-institutional services; livestock, poultry and aquaculture dispersal; credit and marketing assistance; research and development, extension and information services; institutional networking and linkaging; planning, policy and project development; and monitoring and evaluation.

SECTION 3. National Inter-Agency Management Committee. A National Inter-Agency Management Committee on the *Maunlad* Program, hereinafter referred to as NIAMC, is hereby constituted. The NIAMC shall be composed of the following:

Department of Agriculture	Chairman
Philippine Coconut Authority	Co-Chairman
Department of Agrarian Reform	Member
Department of Environment and Natural Resources	Member
Department of Education Culture and Sports	Member
Department of Trade and Industry	Member
Department of Science and Technology	Member
Department of the Interior and Local Government	Member
Department of Public Works and Highways	Member
Department of Social Welfare and Development	Member
Department of Budget and Management	Member
National Economic and Development Authority	Member
Presidential Management Staff	Member
National Anti-Poverty Commission	Member
Land Bank of the Philippines	Member
Development Bank of the Philippines	Member
Cooperative Development Authority	Member
Technical Education and Skills Development Authority	Member
Philippine Information Agency	Member
National Youth Commission	Member
National Irrigation Administration	Member
Bureau of Post Harvest Research and Extension	Member
Bureau of Fisheries and Aquatic Resources	Member
Livestock Development Council	Member
Fibers Industry Development Authority	Member
Fertilizers and Pesticides Authority	Member
Quedan and Rural Credit Guarantee Corporation	Member
Technology and Livelihood Resource Center	Member

Representatives from accredited coconut farmer organizations, non-governmental organizations and other concerned government agencies may be invited to become members of the Committee.

SECTION 4. Duties and Functions of the NIAMC. The NIAMC shall serve as the overall coordinating body in the implementation of the *Maunlad* Program. The NIAMC shall specifically have the following functions:

- a. Periodically review the *Maunlad* Program and introduce modifications whenever necessary;
- b. Formulate the guidelines for the preparation of the regional, provincial, city and municipal workplans to give flesh to the *Maunlad* Program;
- c. Review and oversee the consolidation of the regional, provincial, city and municipal workplans into a national workplan;
- d. Generate and mobilize resources from domestic and foreign sources for the implementation of projects and activities under the *Maunlad* Program; and
- e. Enlist the support of other government agencies and coordinate with the National Food Security Council as may be necessary in the performance of its functions.

SECTION 5. Regional, Provincial, City and Municipal Inter-Agency Management Committees. The NIAMC shall oversee the organization and coordinate the activities of parallel committees at the regional, provincial, city and municipal levels to ensure the attainment of the goals and objectives of the *Maunlad* Program.

- a. Composition. The Regional, Provincial, City and Municipal Inter-agency Management Committees shall be composed of the following:

Regional Inter-Agency Management Committees. The Regional Inter-Agency Management Committee, hereinafter referred to as RIAMC, shall be composed of the PCA regional manager as Chairman and the DA regional director as Co-Chairman, with the heads of the regional offices of DA-attached agencies, heads of the regional offices of the NIAMC member organizations, chairmen of the provincial inter-agency management committees, representatives of accredited coconut farmer organizations and as Members.

Provincial Inter-Agency Management Committees. The Provincial Inter-Agency Management Committee, hereinafter referred to as PIAMC, shall be composed of the PCA provincial coconut development manager as Chairman, with the provincial agriculturist, provincial planning and development coordinator, provincial veterinarian, provincial agricultural engineer, chairmen of the city/municipal inter-agency management committees and other representatives of concerned provincial offices of government, private agencies, and the accredited coconut farmer organizations as Members.

- (3) City/Municipal Inter-Agency Management Committees. The City/Municipal Inter-Agency Management Committees, hereinafter referred to as CIAMC or MIAMC shall be composed of the PCA city/municipal coconut development officer as Chairman with the city/municipal agriculturist and other concerned heads/representatives of municipal agencies of government and private agencies operating in the city/municipal level, and representatives of accredited coconut farmer organizations as Members.

- b. Duties and Functions. The local committees of the *Maunlad* Program shall provide assistance to the NIAMC, as follows:

- (1) Prepare and submit to the NIAMC the regional, provincial, city and municipal workplans. The workplans must include, among others, specific targets, timetable of activities and resource requirements;
- (2) Coordinate and monitor the implementation of the workplans and submit regular assessment reports to the NIAMC;
- (3) Operate as support committees to the Provincial and Municipal/City Councils on Food Security constituted under Executive Order No. 86, s. 1999 (Providing for the Creation of the National Food Security Council, Councils of Food Security for the Provinces, Independent Component Cities and Highly Urbanized Cities); and
- (4) Perform other functions as may be necessary for the successful implementation of the *Maunlad* Program.

SECTION 6. Composite National Technical Working Group. The NIAMC shall organize a composite national technical working group, which shall assist in the formulation of guidelines for the preparation of local workplans, and the preparation of annual work and financial plan of the NIAMC.

SECTION 7. Technical and Administrative Support. A Program Management Office, hereinafter referred to as PMO, is hereby organized under the PCA to provide administrative and technical support to the NIAMC, local committees and the composite national technical working group. Likewise, the DA shall mobilize its concerned bureaus, attached agencies and regional field units to actively support the implementation of the *Maunlad* Program pertinent to their respective areas of jurisdiction and mandates.

SECTION 8. Funding. An initial amount of P3 million from the Agrikulturang MAKAMASA Program shall be provided for the operations of the PMO. Thereafter, the PMO shall have its own budget to be incorporated in the yearly appropriations of the PCA.

The DA, PCA and other concerned government agencies which form part of the NIAMC (except banking or financial institutions) shall allocate from their respective budgetary appropriations such sufficient amounts to implement the various components of the *Maunlad* Program. Government financial institutions shall ensure that suitable lending windows sufficient to support the credit needs of *Maunlad* participants shall be made available.

SECTION 9. Implementing Guidelines. The NIAMC shall formulate implementing guidelines as may be necessary to implement this Order.

SECTION 10. Reporting Requirements. The NIAMC shall submit to the President a regular report on the status of its activities.

SECTION 11. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this day of February, in the Year of our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 211
TRANSFERRING SUPERVISION OF CERTAIN GOVERNMENT FINANCIAL INSTITUTIONS
FROM THE OFFICE OF THE PRESIDENT TO THE DEPARTMENT OF FINANCE

WHEREAS, government is committed to pursue a more responsive and efficient bureaucracy by adopting homogeneous grouping of functionally related government agencies;

WHEREAS, several government financial institutions, namely the Development Bank of the Philippines, Government Service Insurance System, Land Bank of the Philippines and Social Security System, hereinafter referred to as the GFIs, are now supervised by the Office the President;

WHEREAS, Section 3 (6), Chapter 1, Title II, Book IV of Executive Order No. 292, otherwise known as the Administrative Code of 1987, provides that the Department of Finance shall review and coordinate the policies, plans and programs of government financial institutions and thereafter, recommend to them courses of action consistent with national government fiscal policies, plans and programs; and

WHEREAS, these GFIs perform functions that are similar and/or related to those of the Department of Finance and can therefore be made more effective if transferred thereto;

WHEREAS, Section 31, Chapter 10, Title III, Book III of EO 292 provides continuing authority to the President to reorganize the administrative structure of the Office of the President.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Rationalizing the Attachment of Government-Owned and/or Controlled Corporations under the Office of the President. The attachment of government-owned and/or controlled corporations under the Office of the President shall be rationalized through the transfer of GFIs to the appropriate department/agency.

Section 2. Dispositive Actions. The GFIs are hereby transferred from the Office of the President to the Department of Finance for administrative supervision and policy and program coordination.

Section 4. Repealing Clause. All executive orders, rules and regulations, and other issuances or parts thereof that shall be inconsistent with the provisions of this Executive Order, are hereby either revoked or modified accordingly.

Section 5. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 15th day of February, in the year of our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 212
MANDATING THE STREAMLINING OF THE PHILIPPINE CROP
INSURANCE CORPORATION

WHEREAS, there is a need for the Philippine Crop Insurance Corporation (PCIC) to strengthen its operation to enable the agency to effectively carry out its mandate to provide insurance protection to agricultural producers, particularly the small subsistence farmers, against loss of their crops and produce including their non-crop agricultural assets (machineries and equipment, transport facilities and other related infrastructures) due to natural calamities, pests and diseases and/or perils beyond their effective control;

WHEREAS, the above insurance protection is vital in stabilizing the income of agricultural producers as well as the supply of staple crops, such as rice and corn, thereby contributing to the present food security and poverty alleviation thrusts of the Government;

WHEREAS, Section 29, Chapter V, Book V of Executive Order No. 292 (The Administrative Code of 1987) authorizes an agency to reduce its staff whenever it becomes necessary because of lack of funds due to the change in the scope or nature of an agency's program or as result of reorganization;

WHEREAS, under Sections 77, 78 and 79 of Republic Act No. 8745 (General Appropriations Act for FY 1999), the President has been authorized to direct the reorganization of any department or agency of the government and/or the scaling down or phasing out of their activities, as may be necessary;

WHEREAS, as a consequence of financial constraints as well as to enable the agency to improve its service delivery, the streamlining plan of PCIC has been deemed urgent and necessary by its Management and Board of Directors.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the streamlining of the PCIC, as follows:

SECTION 1. Objectives. The streamlining shall adhere to the following principles:

1. To review and improve its operations to enable the corporation to promote the development of the agricultural insurance industry, and making PCIC more viable in terms of economy, efficiency, and effectiveness thereby making the Corporation more responsive to the needs of its clientele, particularly the small subsistence farmers; and,
2. To attain optimum efficiency in the allocation of resources especially for priority programs, projects and services by minimizing organizational levels, reducing span of control, combining common functions, avoiding duplication of functions and maximizing resource utilization, but with minimum disruption to operations.

SEC. 2. Refocusing of Operations. To give due consideration to the opportunities and challenges of the industry, the PCIC shall:

1. Review and streamline its operations following a set of criteria for measuring the performance of programs and projects to attain the agency's mission, plans and goals;
2. Restructure its organization to make it more responsive, effective and cost-efficient; and,
3. Establish the most appropriate staffing pattern and qualification standards for all positions under the new streamlined structure; provided that the new staffing pattern shall not exceed two hundred forty eight (248) positions nationwide from the present 502 filled positions. The revised organization structure and staffing pattern shall be subject to the approval by the PCIC Board of Directors and the Department of Budget and Management (DBM).

The PCIC shall finalize all placement actions within ninety (90) days from the date of the commencement of the reorganization which shall reckon fifteen (15) days from the approval by the DBM of its Organization Structure and Staffing Pattern (OSSP).

SEC. 3. Early Retirement Incentive Package (ERIP). An ERIP shall be provided to those who may want to voluntarily retire from the service to pave the way for streamlining and those whose positions will be phased-out or declared redundant as a result of the streamlining procedure. This shall cover all regular employees of the PCIC who have rendered at least one year of continuous service to the corporation reckoning from the time of availment.

Employees, however, may opt to avail themselves of any existing GSIS retirement law which they think can give them optimum benefit (RA Nos. 1616, 1146, 660, etc.). The number of years in service for qualified retirees under GSIS existing laws shall be certified by the GSIS.

The ERIP shall be over and above the benefits that may be received from Pag-IBIG and refund from GSIS premiums.

SEC. 4. Transitory Provisions. The following provisions shall serve to guide implementation in the interim period:

The incumbent officials and employees of the PCIC shall continue to exercise their respective functions, duties and responsibilities with corresponding benefits and privileges unless and until otherwise ordered by the President of the corporation.

2. Employees who may opt to reject assignments or appointments and those who may not be rehired under the new staffing pattern shall receive retirement benefits which they may be entitled to receive under existing laws; Provided that they shall be given an option to avail themselves of the benefits under Republic Act No. 6656 equivalent of one (1) month for every year of service or a fraction thereof, computed on the basis of highest salary received.

SEC. 5. Funding. The national government shall provide funding assistance of PhP 83 Million to PCIC for the purpose of the ERIP which shall be taken from the Miscellaneous Personnel Benefit Fund (MPBF) under the CY 2000 General Appropriations Act. To achieve proper programming of fund, the release of the financial assistance shall be on a reimbursement scheme and only after the DBM has approved PCIC's restructuring.

SEC. 6. Report Requirements and Timetable. In fulfillment of the above provisions, the PCIC shall submit its compliance report to the President through the DBM within sixty (60) days from the date of effectivity of the Executive Order.

SEC. 7. Effectivity. This Order shall take effect fifteen (15) days after its publication in a newspaper of national circulation.

DONE in the City of Manila, this 15th day of February, in the of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: Presidential Management Staff

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE REPUBLIC OF THE PHILIPPINES

EXECUTIVE ORDER NO. 213
CONSTITUTING THE NATIONAL ENFORCEMENT TASK FORCE ON
COCONUT TREE CONSERVATION

WHEREAS, Republic Act (RA) 8048, also known as the “Coconut Tree Preservation Act of 1995,” mandates the regulation of the cutting of coconut trees and the conduct of a sustainable and efficient replanting program;

WHEREAS, a coordinated effort must be undertaken to ensure that the cutting of coconut trees as well as the processing, transport, sale, and disposal or utilization of coconut trees by coconut lumber traders, dealers, sawmill or chainsaw operators, processors, end-users and exporters, are done strictly pursuant to the provisions of RA 8048 and other relevant statutes as well as the guidelines of the Philippine Coconut Authority; and

WHEREAS, to ensure the preservation and development of the coconut industry, there is need to constitute a national task force to ensure effective and timely coordination among government agencies, local government units, and the private sector;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Constitution of the National Enforcement Task Force on Coconut Tree Conservation. The National Enforcement Task Force, hereinafter referred to as NETFORCE, is hereby constituted. The NETFORCE shall be composed of the following:

Secretary, Department of Agriculture	Chairman
Administrator, Philippine Coconut Authority	Co-Chairman
Secretary, Department of Agrarian Reform	Member
Secretary, Department of Justice	Member
Secretary, Department of Environment and Natural Resources	Member
Secretary, Department of the Interior and Local Government	Member
Chief, Philippine National Police	Member
Commissioner, Bureau of Internal Revenue	Member
Commandant, Philippine Coast Guard	Member
Administrator, National Mapping and Resource Information Authority	Member

The NETFORCE shall invite representatives of accredited coconut farmer organizations and non-government organizations concerned as deputized support groups of the NETFORCE.

SECTION 2. Duties and Functions. The NETFORCE shall perform the following functions:

- a. Formulate plans of action to control the rampant cutting of coconut trees in violation of the provisions of RA 8048 and its implementing rules and regulations;
- b. Organize Regional Composite Teams composed of the member-agencies under the overall supervision of the Chief of the Philippine National Police to carry out and execute the plans of action. The Department of Justice shall designate investigators or prosecutors as members of the Regional Composite Teams to investigate reports and assist in the filing of the appropriate complaints for violations of the Philippine Coconut Authority rules and regulations, RA 8048 and its pertinent implementing rules and regulations; and
- c. Establish such number of detachment stations and designate roving inspectors and patrols to: (i) monitor and report the cutting, processing, transport or movement of coconut lumber by land, sea or air and determine whether such activities are strictly complying with the requirements of pertinent laws, rules and regulations; (ii) inspect and inquire into the proper establishment, operation and registration of sawmills, chain/power saws, lumberyards, lumber dealers and other persons or entities dealing with the cutting, processing, transport, use or sale of coconut lumber and to report their findings to the Regional Composite Team; (iii) cause or effect the arrest of violators and, pending investigation, seize or confiscate the illegally cut coconut tree or processed lumber as well as the power saws, chain saws or other implements used in the cutting or processing of the seized coconut trees or lumber and vehicles used in the transport thereof.

SECTION 3. Authority of Local Government Units. The local government units in whose jurisdiction the illegally cut or processed coconut trees are transported shall have the authority to verify the authenticity or validity of the cutting permits as well as the type and volume of the coconut trees or lumber covered by such permit. Pursuant to the Local Government Code (RA 7160), the local government units shall have the authority to apprehend violators, and to seize or confiscate illegally cut or processed coconut trees, including the implements used in the illegal cutting or processing, and the vehicles used in the transport or movement thereof.

SECTION 4. Administrative Penalties. The responsible Philippine Coconut Authority official or barangay chairman/official or both, found to have permitted, allowed or otherwise tolerated any violation of the provisions of RA 8048 or its implementing rules, or have connived, conspired, or have otherwise given special treatment, privilege, favor or consideration to any party in the commission of such violation, shall be suspended or dismissed from office in accordance with the disciplinary provisions of the Omnibus Rules implementing Book V Subtitle A, of the Administrative Code of 1987 and/or the provisions of the penal sanctions of RA 8048.

The responsible Philippine Coconut Authority provincial manager, coconut development officer and the barangay chairman/official shall jointly ensure that any area in the barangay where coconut trees are cut shall be replanted with replacement seedlings within the period of three (3) months from the date of cutting. Failure on the part of the aforesaid officials to cause the replanting of the affected area shall constitute prima facie evidence of violation and shall be sufficient to charge the responsible Philippine Coconut Authority and/or barangay officials under this Section.

SECTION 5. Support Fund for Operation. The Philippine Coconut Authority shall allocate sufficient funds from its corporate operating budget, which shall be augmented by at least ten percent (10%) from its share of the fees collected from the issuance of cutting permits to support the operations

of the NETFORCE, the regional composite teams and detachment stations, teams of inspectors and patrols organized pursuant to this Order.

SECTION 6. Implementing Guidelines. The NETFORCE shall adopt such implementing guidelines as may be necessary to implement this Executive Order.

SECTION 7. Effectively. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 30th day of January, in the Year of our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 214

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE PREFERENTIAL TARIFF RATES ON CERTAIN PRODUCTS UNDER THE ASEAN INDUSTRIAL COOPERATION (AICO) SCHEME

WHEREAS, the Philippines is a Contracting Party to the Basic Agreement on the ASEAN Industrial Cooperation (AICO) Scheme signed in Singapore on 27 April 1996;

WHEREAS, the AICO Scheme seeks to improve the competitive position of ASEAN Companies in the global and ASEAN markets by providing the means to apply the principles of economies of scale and scope in the manufacturing process, supported by preferential import duties to enhance across ASEAN border transactions;

WHEREAS, the Philippines is a participating country in the approved AICO Scheme of Goya, Inc, along with Indonesia and Thailand;

WHEREAS, under the Goya AICO Agreement, it was agreed that the Philippines (Goya, Inc.) will import sweetened cocoa blend from Indonesia (PT. Nestle Confectionery Indonesia) and sweetened skimmed milk powder and sweetened whey compound from Thailand (Nestle Foods (Thailand) Ltd.) as intermediate products for the manufacture of chocolate confectionery and chocolate eclairs. In exchange, Indonesia (PT. Nestle Confectionery Indonesia) and Thailand (Nestle Foods (Thailand) Ltd.) will import chocolate confectionery products and chocolate eclairs from the Philippines;

WHEREAS, in consonance with Articles 5 and 7 of the Basic Agreement on the AICO Scheme, participating companies in the approved Goya, Inc. Arrangement shall qualify for 0 - 5% preferential tariff rates to be extended by Indonesia, the Philippines and Thailand as participating countries, effective within 45 days from the date of issuance of the Certificate of Eligibility by the ASEAN Secretariat;

WHEREAS, AICO Certificate of Eligibility No. Nestle/1999/1 and AICO Certificate of Eligibility No. Nestle/1999/2 were issued on 27 September 1999 and 26 October 1999, respectively, in favor of the participating companies in the Goya, Inc. AICO Arrangement;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, pursuant to the powers vested in me under Section 402 of the Tariff and Customs Code of 1978, as amended, do hereby order:

SECTION 1. The articles specifically listed in Annex "A" hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded the AICO rates of 3% and 5% as specified in Column 4 thereof.

SECTION 2. The AICO rate provided in Annex "A" shall be accorded to the AICO entity in Indonesia (PT. Nestle Confectionery Indonesia) effective 27 September 1999 and to the AICO entity in Thailand (Nestle Foods (Thailand) Ltd.) effective 26 October 1999.

SECTION 3. In the event that any subsequent changes are made in the basic (MFN) Philippine rate of duty on the articles listed in Annex "A" to a rate lower than the AICO rate prescribed in Column

4 thereof, such article shall automatically be accorded the corresponding reduced rate of duty. Effective 1 January 2003, the final CEPT rate on the subject articles shall apply.

SECTION 4. Upon the effectivity of this Executive Order, the articles specifically listed in the aforesaid Annex “A” which are entered or withdrawn from warehouses in the Philippines for consumption shall pay the applicable AICO preferential tariff rates specified under Section 1 hereof, subject to qualification under the Rules of Origin for the CEPT, as evidenced by the Certificate of Origin – Form “D”.

SECTION 5. This Executive Order shall take effect immediately.

Done in the City of Manila, this 16th day of Feb., in the year of Our Lord, Two Thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

(Sgd.) **RONALDO B. ZAMORA**

Executive Secretary

Reference: Annex A

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 215

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE PREFERENTIAL TARIFF RATES ON CERTAIN PRODUCTS UNDER THE ASEAN INDUSTRIAL COOPERATION (AICO) SCHEME

WHEREAS, the Philippines is a Contracting Party to the Basic Agreement on the ASEAN Industrial Cooperation Scheme signed in Singapore on 27 April 1996;

WHEREAS, the Philippines is a participating country in the approved AICO Arrangements of Toyota, along with Malaysia, Thailand and Indonesia;

WHEREAS, under the Toyota AICO Arrangement, the Philippines (Toyota Motor Philippines Corporation and Toyota Autoparts Philippines) will import from Indonesia, Malaysia and Thailand certain original equipment manufacturer (OEM) automotive parts/components for Corolla and Camry passenger cars (HS 8703.90 10) and Toyota Utility Vehicle (TUV) for the transport of persons (HS 8702.90 10). In exchange, Indonesia, Malaysia and Thailand will import from the Philippines complementary component parts for the OEM of Kijang, Corolla, Camry, Unser, Hilux and Soluna.

WHEREAS, AICO Certificate of Eligibility Nos. Toyota/1999/9 was issued on 27 September 1999, Toyota/1999/6(A) and Toyota/1999/7(A) were re-issued on 14 October 1999 in favor of the participating companies in the Toyota AICO Arrangement.

WHEREAS, in consonance with Articles 5 and 7 of the Basic Agreement of the (AICO) Scheme, participating companies in the approved Toyota AICO Arrangements shall qualify for 0 - 5% preferential tariff rates to be extended by Malaysia and the Philippines as participating countries, effective within 45 days from the date of issuance of the Certificate of Eligibility No. Toyota/1999/9 and by Thailand, Indonesia and the Philippines as participating countries, effective on 15 October 1999 for the re-issued Certificate of Eligibility Nos. Toyota/1999/6(A) and Toyota/1999/7(A), respectively, by the ASEAN Secretariat.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, pursuant to the powers vested in me under Section 402 of the Tariff and Customs Code of 1978, as amended, do hereby order:

SECTION 1. The articles specifically listed in Annex "A" hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded the AICO rate of 5% as component parts of Corolla and Camry passenger cars (HS 8703.90 10) and the AICO rate of 3% as component parts of TUV for the transport of persons (HS 8702.90 10) as specified in Column 6 thereof.

SECTION 2. The AICO rate provided in Annex "A" shall be accorded to the AICO entity in Malaysia (Assembly Services Sdn. Bhd. and T&K Autoparts Sdn. Bhd.) effective 27 September 1999 and to the AICO entities in Indonesia (PT. Toyota Astra Motors) and Thailand (Toyota Motor Thailand, Co. Ltd. and Siam Toyota Manufacturing Co., Ltd.) effective 14 October 1999.

SECTION 3. In the event that any subsequent changes are made in the basic (MFN) Philippine rate of duty on any of the articles listed in Annex "A" to a rate lower than the AICO rate prescribed in

Column 6 of Annex “A”, such article shall automatically be accorded the corresponding reduced rate of duty. Effective 1 January 2003, the final CEPT rate on the subject articles shall apply.

SECTION 4. Upon the effectivity of this Executive Order, the articles specially listed in the aforesaid Annex “A” which are entered or withdrawn from warehouses in the Philippines for consumption shall pay the applicable AICO preferential tariff rates specified under Section 1 hereof, subject to qualification under the Rules of Origin for the CEPT, as evidenced by the Certificate of Origin – Form “D”.

SECTION 5. Any revision/s to the part numbers appearing in Column 4 of Annex “A” shall be communicated immediately to the Bureau of Customs by the Board of Investments within five (5) days after receipt of the official copy of the revised part numbers from the ASEAN Secretariat.

SECTION 6. This Executive Order shall take effect immediately.

Done in the City of Manila, this 15th day of Feb, in the year of Our Lord, Two Thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

(Sgd.) **RONALDO B. ZAMORA**

Executive Secretary

Reference: Annex A

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 216
AMENDING EXECUTIVE ORDER NO. 159 S. 1999 AND FURTHER STRENGTHENING THE
HOUSING AND URBAN DEVELOPMENT COORDINATING COUNCIL

WHEREAS, the President, through the issuance of Executive Order No. 159 dated 12 October 1999 has identified mass housing as the centerpiece program of his Administration;

WHEREAS, EO No. 159 created the Presidential Commission on Mass Housing (PCMH), with the President as the Chairman and to be co-chaired by both the Presidential Adviser on Low Cost and Open Market Housing and the Presidential Adviser on Socialized Housing;

WHEREAS, EO 159 provided that the Secretariat of the PCMH shall be composed of personnel from the Housing and Urban Development Coordinating Council (HUDCC) and Presidential Management Staff (PMS);

WHEREAS, HUDCC is the lead agency in the implementation of the government's housing program;

WHEREAS, to harmonize and streamline efforts on mass housing, there is a need to delegate to a responsible official the management of the housing program, thus, the need to integrate the positions of the Presidential Adviser on Low Cost and Open Market Housing and the Presidential Adviser on Socialized Housing;

WHEREAS, there is a need to further strengthen the HUDCC for it to effectively and efficiently coordinate all efforts of the various agencies/sectors undertaking housing projects nationwide;

WHEREAS, Section 31, Chapter 10, Title III, Book III of EO 292, otherwise known as the Revised Administrative Code of 1987, provides continuing authority to the President to reorganize the administrative structure of the Office of the President;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

Section 1. Composition and Secretariat of the Presidential Commission on Mass Housing. Executive Order No. 159 s. 1999 is hereby amended to read as follows:

Section 1.1 Designation of the HUDCC Chairperson as Presidential Adviser for Housing and Co-Chair of the PCMH. The positions of the Presidential Adviser on Low Cost and Open Market Housing and the Presidential Adviser on Socialized Housing are hereby abolished; and, in lieu thereof, their tasks and responsibilities shall be undertaken by the Presidential Adviser for Housing. Therefore, Paragraph 1, Section 2.1 of EO 159 is hereby amended to read as follows:

The Commission shall be chaired by the President who shall also act as the "housing czar". *The Commission shall be co-chaired by the Presidential Adviser on Housing.*

Section 1.2 Creation of a Full-Time Secretariat for PCMH. Paragraph 2 of Section 2.3, EO 159 shall read as follows:

“A full time Secretariat to be composed of personnel from HUDCC and PMS shall be organized to provide direct technical and administrative services to the Commission through the Office of the Presidential Adviser on Housing.

The Presidential Adviser on Housing, shall directly supervise, and provide guidance, instructions and directions to the joint HUDCC-PMS Secretariat.”

Administrative, technical and logistical requirements of the Commission and the Office of the Presidential Adviser for Housing, shall be provided by the PMS-OP, HUDCC and other housing agencies. All housing agencies are hereby directed to provide assistance as may be needed.”

Section 2. Reiterating and Strengthening the Functions of the HUDCC. Pursuant to existing laws, the HUDCC shall continue to have the following powers and functions:

- 2.1 Serve as the lead agency to assist the President and the PCMH in formulating the national objectives, policies and strategies for housing and urban development;
- Coordinate and monitor the activities of all government agencies undertaking housing projects, including those of local government units (LGUs), to ensure the accomplishment of the goals of the government’s housing program;
- Encourage the maximum participation of the private sector in all aspects of housing and urban development;
- Formulate the basic policies, guidelines and implementing mechanisms for the disposal or development of acquired or existing assets of the key housing agencies which are not required for the accomplishment of their basic mandates;
- Identify, plan and secure local and foreign funding for housing programs and projects;
- Provide directions to the Housing and Land Use Regulatory Board (HLURB) to ensure rational land use for the equitable distribution and enjoyment of development benefits;
- Recommend new legislation and amendments to existing laws as maybe necessary for the attainment of government’s objectives in housing;
- Undertake other functions as provided by existing laws that are not contrary to the above-mentioned.

Section 3. General Supervision and Control of HUDCC Over Housing Agencies. To ensure that all efforts of the housing agencies are coordinated towards the achievement of the housing goals, the following housing agencies are attached to HUDCC for policy and program coordination and administrative supervision:

- National Housing Authority (NHA);
- National Home Mortgage and Finance Corporation (NHMFC);
- Home Development Mutual Fund (HDMF);
- Home Insurance Guaranty Corporation (HIGC); and
- Housing and Land Use Regulatory Board (HLURB).

Section 4. Powers and Functions of the HUDCC Chairperson. The Chairperson of the HUDCC shall be appointed by the President and shall report directly to the President. The HUDCC Chairperson shall have the rank of a Secretary and shall be a regular member of the Cabinet.

The HUDCC Chairperson shall also serve as *ex officio* Chairperson of the governing Boards of the housing agencies, namely: NHA, NHMFC, HDMF, HIGC and HLURB. The HUDCC Chairperson may appoint an alternate from among the members of the HUDCC, whose acts shall be considered the acts of the Chairperson.

The HUDCC Chairperson shall exercise the following authorities and powers over its attached agencies and corporations:

- Recommend to the President, the appointment of the members of the Board and the full time chief executive officer/head of the housing corporations/agencies in accordance with their respective charters/mandates;
- Recommend to the President any such acts as may be necessary over any member of the Board and the Chief Executive Office;
- Exercise for and in behalf of the President administrative supervision over corporations and agencies attached to the HUDCC;
- Oversee the operations of such housing corporations and agencies to ensure that they are managed efficiently, effectively and economically to enable them to execute their plans, programs and projects;
- Require the submission of reports and cause the conduct of management audit, performance evaluation, and inspections to ensure compliance with the policies, standards and guidelines of HUDCC and PCMH;
- Review and evaluate Memoranda of Agreement, contracts, joint venture agreements and all investments entered into by the corporations/agencies attached to HUDCC to ensure conformity with government policies, and priority plans and projects.
- Recommend to the President all housing related projects that may qualify for Flagship status;
- Recommend to the President such acts as may be necessary for the proper performance of the official functions of the corporations and agencies attached to HUDCC
- Recommend to the President the approval of the budget proposals of all corporations and agencies attached to it;
- 4.10 Require the submission of the audited financial statements of the attached corporations within 60 days after the close of the fiscal year to ensure the proper evaluation and preparation of recommendations to the President;
- Recommend to the President necessary changes, and adjustments in the organizational structure and staffing pattern of the attached agencies and corporations;
- 4.12 Recommend to the President all other actions as may be necessary in the President's exercise of overall supervision and control overall agencies and corporations attached to HUDCC.

Section 5. Functions of the HUDCC Secretariat. The HUDCC Chairperson shall direct the HUDCC Secretariat in the proper performance of the following functions:

- Monitor and evaluate the financial, physical and organizational performance of the housing agencies/corporations;

Undertake all the powers and functions of the GCMCC over the housing corporations, specially the review of contracts, joint venture agreements, memoranda of agreement, investments, borrowings, creation of subsidiaries, and the like. All recommendations of the HUDCC Secretariat shall be submitted to the President through the HUDCC Chairperson.

Section 6. Duties and Responsibilities of the HUDCC Secretary General. A Secretary-General, to be appointed by the Chairperson of the Council, shall assist the Chairman in the day-to-day management and operation of the HUDCC Secretariat. The Secretary-General, who shall be under the direct control and supervision of the Chairperson, shall have the following duties and responsibilities:

- 6.1 Implement policies and measures approved and directed by the Chairperson;
Assist the Chairperson in managing the operations and affairs of the HUDCC;
Oversee the preparation of annual plans, budgets and such other reports as may be required, subject to the approval of the Chairperson;
Represent the Chairperson in dealings with other offices, agencies and instrumentalities of the government and with persons and entities both private and public, domestic and foreign, as necessary;
Discipline for cause in accordance with civil service laws subordinate officers and personnel of the HUDCC, subject to the approval of the Chairperson;
Transfer officers and personnel as the exigencies of service may require subject to the prior approval of the Chairperson;
- 6.7 Delegate authority to subordinate officers and personnel of HUDCC, provided that the authority to delegate has had the prior approval of the Chairperson; and
Perform such other functions and duties as may be assigned by the Chairperson.

Section 7. Continuing Authority to Reorganize the HUDCC Secretariat. The HUDCC Chairperson shall have the continuing authority to reorganize the HUDCC Secretariat.

Section 8. Special Provision. All government departments, agencies, bureaus and instrumentalities, including government owned and controlled corporations (e.g. PEA, BCDA, PNR, among others), implementing housing projects are directed to seek the clearance and approval of the PCMH through the HUDCC Chairperson on their respective housing and related projects.

Section 9. Separability Clause. If any provision of this Executive Order is declared invalid, the validity of the other provisions hereof shall be unaffected thereby.

Section 10. Repealing Clause. All executive and other administrative issuances or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

Section 11. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 22nd day of February, in the year of the Lord, twenty hundred.

(Sgd.) JOSEPH EJERCITO ESTRADA

BY THE PRESIDENT:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 217
AMENDING EXECUTIVE ORDER NO. 193 DATED 6 JANUARY 2000 ENTITLED
“CONSTITUTING THE ECONOMIC COORDINATING COUNCIL”

WHEREAS, the Economic Coordinating Council (ECC) was constituted on 6 January 2000 pursuant to Executive Order No. 193;

WHEREAS, the ECC is tasked to ensure the consistency and complementation of all issuances, pronouncements, plans, programs and projects, and proposed legislations with the country’s economic reform direction to further promote deregulation, liberalization, free and fair market competition, and increased private sector participation; and

WHEREAS, there is need to provide the ECC with full-time secretariat support to enable it to effectively perform its mandate.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution do hereby order:

Section 1. Creation of a Full-Time ECC Secretariat. There is hereby created a full-time ECC Secretariat which shall provide technical and administrative support to the ECC and to the President, as follows:

1. Undertake all necessary preparations for the conduct of the ECC meetings including, among others, agenda generation, preparation of meeting documents, and coordination with concerned offices for the meetings’ logistical/physical requirements (e.g., venue, protocolar arrangements);
2. Render support during ECC meetings, such as reproduction and distribution of documents pertinent to the meeting presentations/discussions and documentation of meeting discussions/agreements;
3. Prepare action documents to implement ECC agreements/decisions, and monitor and prepare status reports on the implementation of agreements;
4. Maintain official records and receive and prepare communications pertinent to the work of the Council; and
5. Perform other duties as may be assigned by the Council.

The ECC Secretariat shall be under the direct supervision of the ECC Vice-Chairman. The ECC Vice-Chairman, whenever necessary, may direct the PMS to provide staff support to the Council.

Section 2. The Secretary General. The ECC Secretariat shall be headed by a Secretary General who shall be a private sector representative-nominee. He shall be appointed by the President upon the recommendation of the ECC Vice-Chairman.

The Secretary General shall be an ex-officio member of the ECC. He shall also be the liaison between the ECC and the Economic Mobilization Group, the Council of Senior Economic Advisers and the private sector.

Section 3. Manpower Complement and Budget. The ECC Secretariat shall have a manpower complement which shall be determined by the Secretary General and approved by the ECC Vice-

Chairman. The budget of the Council and the Secretariat which shall be prepared by the Secretary General and approved by the ECC Vice Chairman, shall be sourced from the Office of the President.

The Secretariat shall hold office in a place to be determined by the ECC Vice-Chairman.

Section 4. Repeal Clause. Section 5 of EO No. 193, series of 2000, and Section 1 (5) of Administrative Order No. 109, series of 2000 are hereby amended. All other executive issuances or portions thereof, inconsistent with this Order, are repealed or modified accordingly.

Section 5. Effectivity. This Executive Order shall take effect immediately.

DONE, in the City of Manila, this 24th of February, in the Year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 218

REACTIVATING THE TASK FORCE ON FEES AND CHARGES, EXPANDING ITS MEMBERSHIP AND FUNCTIONS AND PROVIDING GUIDELINES FOR THE REVIEW OF THE PROPOSED RATE INCREASE OF FEES AND CHARGES BY NATIONAL GOVERNMENT AGENCIES AND GOVERNMENT-OWNED OR CONTROLLED CORPORATIONS UNDER EO 197, SERIES OF 2000

WHEREAS, there is a need to improve revenue collection to achieve revenue targets and fund the government's socio-economic programs;

WHEREAS, fees and charges remain a significant source of revenue for the government;

WHEREAS, government fees and charges are user charges which are commensurate with the benefits received from services rendered, and persons receiving such services must share the burden of expenses incurred by the government instead of the full cost being borne by all taxpayers;

WHEREAS, since the cost of rendering government services or regulating certain activities has risen drastically and the government does not have sufficient resources to sustain, improve or expand these services, it is necessary that the rates of fees and charges be upgraded commensurately with the increase in the cost of their administration;

WHEREAS, for social considerations, health, education and other social services are generally free or subsidized by the government;

WHEREAS, despite the issuance of Executive Order (EO) No. 159, series of 1994, directing all departments, bureaus, commissions, agencies and instrumentalities of the national government including government-owned or controlled corporations to adjust their fees and charges by just and reasonable rates sufficient to cover at least the full cost of services rendered, only very few agencies have complied;

WHEREAS, EO No. 197 series of 2000 has been issued to reiterate the importance of revising the rates of fees and charges and to direct all departments, bureaus, commissions, agencies, offices and instrumentalities of the National Government, including government-owned or controlled corporations, to increase their rates of fees and charges by not less than 20 percent;

WHEREAS, to prevent indiscriminate and inappropriate increases in the rates of fees and charges, it is important that the Task Force on Fees and Charges be reactivated to review where necessary proposals from the agencies concerned before approval of their Department Secretaries.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Guiding Principles. In revising their fees and charges, all departments, bureaus, offices, units and agencies including government-owned or controlled corporations shall be guided by the universal concept of user charges, which is to recover at least the full cost of services rendered. Fees and charges have to be reviewed from time to time in accordance with such concept.

Sec. 2. Reactivation of the Task Force on the Revision of Fees and Charges. The Task Force on the Revision of Fees and Charges created under Administrative Order No. 255 issued on February 20, 1996 and composed of representatives of the Department of Finance (Chairman), Department of Budget and Management (Co-Chairman), Bureau of the Treasury and the National Tax Research Center is hereby reactivated with the membership expanded to include a representative from the Commission on Audit.

Sec. 3. Functions of the Task Force. The Task Force shall, in addition to its present function of monitoring compliance on the revision of fees and charges and the synchronization of the accounting and reporting of collections from fees and charges from agencies concerned, be responsible for the following functions:

- a. Review and recommend on a selective basis, revisions of fees and charges under EO 197, before approval of the Department Secretary or Head of Agency concerned, which function it shall perform on a continuing basis as further revisions are proposed or deemed appropriate in the future;
- b. Pass upon any request for exemptions from EO 197;
- c. Render technical assistance on the determination of cost of services rendered upon request of agencies concerned; and
- d. Provide guidelines and criteria in the determination of just and reasonable rates sufficient to recover the full cost of services rendered.

Sec. 4. Submission of Reports by Government Agencies. Government departments, bureaus, offices, agencies and units concerned, including government-owned or controlled corporations receiving budgetary appropriations, shall submit to the Task Force a report on the revision of rates as approved by the Department Secretary concerned not later than thirty (30) days after their approval/ effectivity and to the Department of Budget and Management, together with their proposed budget, a summary of expected revenues from fees and charges, during the budgetary hearings.

Sec. 5. Monitoring. The Bureau of the Treasury shall closely monitor the collections of fees and charges based on remittance advices of concerned government agencies, including government-owned or controlled corporations to authorized collection agent banks.

Sec. 6. Implementing Rules and Regulations. The Department of Finance and the Department of Budget and Management shall jointly promulgate the rules and regulations to implement this Executive Order and monitor compliance by agencies.

Sec. 7. Repealing Clause. All executive issuances or parts thereof, including those specially providing for rates of fees and charges of specific government agencies which are inconsistent with any of the provisions of this Executive Order are hereby repealed or modified accordingly.

Sec. 8. Effectivity. This Executive Order shall take effect immediately.

Done in the City of Manila, this 15th day of March, in the Year of our Lord Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 219
GRANT OF SALARY ADJUSTMENT TO ALL GOVERNMENT PERSONNEL

WHEREAS, the Government fully appreciates the valuable role of government employees in providing vital services to the population at large;

WHEREAS, in recognition of this vital role, it is the policy of the Government to continuously uplift, within its limited financial resources, the living standards of government employees and to improve their welfare;

WHEREAS, pursuant to this policy, the Government deems it proper to increase the salaries of government employees to keep in step with the existing economic conditions and ameliorate their plight;

WHEREAS, under the Salary Adjustment Fund in the FY 2000 General Appropriations Act an amount is appropriated for a 10% across the board adjustment in basic salary of national government personnel;

NOW THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by the Constitution, R.A. No. 6758, P.D. No. 1597 and P.D. No. 985, do hereby order and direct:

SECTION 1. *New Salary Schedule.* The Department of Budget and Management is hereby directed to implement new Salary Schedules effective January 1, 2000 reflecting a ten percent (10%) increase over the basic monthly salaries as of December 31, 1999 of civilian and uniformed personnel except the uniformed personnel of Philippine National Police (PNP) who are covered by RA 8551, as follows:

a. For Civilian Personnel

The salary adjustment for civilian personnel shall be in accordance with the attached Salary Schedule marked as Annex "A" of this Order. The adjustment shall be to the designated salary step of the employee in the salary grade allocation of his position as of December 31, 1999.

b. For Uniformed Personnel Except those in the PNP

The salary adjustment of the uniformed personnel except those in the PNP shall be in accordance with the attached Salary Schedule marked as Annex "B" of this Order.

Heads of all national government departments and agencies including government-owned and/or -controlled corporations and local government units shall not grant any form of compensation adjustment in excess of the amount stipulated in the said Salary Schedules.

SECTION 2. *Coverage and Exemption.* This order shall cover only officials and employees of the National Government Agencies (NGAs) including State Universities and Colleges (SUCs), Government-Owned and/or -Controlled Corporations (GOCCs), Government Financial Institutions (GFIs) and Local Government Units (LGUs) whose basic salaries conform with the Salary Schedule prescribed under Executive Order No. 389 dated December 28, 1996. Officials and employees who are exempted by law from the Compensation and Position Classification System and/or do not follow the Salary

Schedule prescribed for government personnel are not entitled to the salary adjustment authorized herein.

SECTION 3. *Integration of Transition Allowance.* The salary rates contained in the Salary Schedule marked as Annex A shall include transition allowance presently authorized to be received by incumbents.

SECTION 4. *Continuation of Personnel Economic Relief Allowance and Additional Compensation.* Personnel Economic Relief Allowance and the Additional Compensation authorized under Republic Act No. 7078 and Administrative Order No. 53, respectively shall continue to be paid as allowances and not integrated into basic pay, and therefor not subject to tax.

SECTION 5. *Allowances and Benefits Based on Percentage of Basic Salaries.* Notwithstanding the salary increases authorized herein, there shall be no corresponding increase in the present allowances and benefits being received by officials and employees which are based on a percentage of their basic salaries.

SECTION 6. *Funding Source.* The funding sources for the amounts necessary to implement the revised compensation shall be as follows:

- a. For national government entities, the amount shall be charged against the savings generated from the different departments, bureaus, offices and agencies and appropriations set aside for the purpose in the FY 2000 General Appropriations Act. Thereafter, such amounts as are needed shall be included in the annual General Appropriations Act.
 1. Agencies with fiscal autonomy are enjoined to fund their salary adjustment within the level of PS funds released to them.
- b. For government-owned and/or -controlled corporations (GOCCs) and government financial institutions (GFIs), the amount shall come from their respective corporate funds.
- c. For local government units (LGUs), the amount shall be charged against their respective local funds.

GOCCs, GFIs and LGUs which do not have adequate or sufficient funds to pay the salary adjustment prescribed herein shall only partially implement the established rates: PROVIDED, That any partial implementation shall be uniform and proportionate for all positions in each corporate entity or local government unit.

SECTION 7. *Applicability to Certain Constitutional Officials.* Pursuant to Section 6 of Article VII and Section 10 of Article VI of the Constitution, the salary adjustment prescribed herein for the President, Vice-President, and Members of the House of Representatives shall take effect only after the expiration of the respective terms of the present incumbents, and with respect to Senators, only after the expiration of the term of all the incumbent Senators.

SECTION 8. *Implementing Guidelines.* The Department of Budget and Management shall prepare and issue the necessary guidelines for the implementation of this Executive Order.

SECTION 9. *Effectivity.* This Executive Order shall take effect January 1, 2000.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

References: Annexes A and B

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 220
CREATING AN EXECUTIVE COUNCIL TO SUPPRESS TRAFFICKING IN PERSONS,
PARTICULARLY WOMEN AND CHILDREN

WHEREAS, the Philippines upholds the human rights of people including their rights to travel;

WHEREAS, trafficking in persons, particularly women and children has emerged as a major global issue owing to the involvement of transnational organized criminal groups who take advantage of the vulnerable conditions of migrants;

WHEREAS, in their desire to seek employment abroad, a significant number of Filipinos have become victims of unscrupulous individuals and entities who entice them to obtain entry to destination countries at whatever costs and means;

WHEREAS, victims of trafficking, particularly women and children, have been exposed to situations of abuse, exploitation, violence, and the violation of their human rights, thereby rendering them even more vulnerable to the adverse effects of poverty;

WHEREAS, the Philippines as a founding member of the UN, has actively participated in global efforts, including UN initiatives, to suppress trafficking in persons, in particular the UN Resolutions on the Traffic of Women and Girls;

WHEREAS, global efforts to suppress trafficking in persons, particularly women and children, have been pursued and have progressed through various inter-governmental and multilateral initiatives;

WHEREAS, in support of these global efforts, the Philippines has taken an active role in evolving a regional approach to suppress trafficking in persons, particularly women and children, as exemplified by *inter alia* its leadership in the Manila Process and the Asian Regional Initiative Against Trafficking (ARIAT);

WHEREAS, there is a need for a body that will ensure an integrated approach for the review, consideration, approval, management and monitoring of bilateral, regional and multilateral initiatives to suppress trafficking in persons, particularly women and children;

WHEREAS, concerned Philippine government agencies undertake programs and activities to suppress trafficking in persons, particularly women and children, based on their respective mandates;

WHEREAS, there is a need to institutionalize the process of coordination and collaboration among concerned agencies in the implementation of these programs to achieve greater efficiency.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Creation of the Executive Council. An Executive Council on the Suppression of Trafficking in Persons, particularly Women and Children, is hereby created.

SEC. 2. Composition. The Executive Council shall be chaired by the Secretary of Foreign Affairs and co-chaired by the Secretary of Interior and Local Government. It shall have for its members, the Secretaries of the following departments:

- 1) Department of Justice (DOJ)
- 2) Department of National Defense (DND)
- 3) Department of Labor and Employment (DOLE)
- 4) Department of Social Welfare and Development (DSWD)
- 5) Department of Tourism (DOT)
- 6) Office of the Executive Secretary, Office of the President (OP)

The Executive Council shall be supported by the Technical Coordinating Committee (TCC) to be composed of the above agencies and the following:

- 1) Presidential Anti-Organized Crime Task Force (PAOCTF)
- 2) Philippine Center on Transnational Crime (PCTC)
- 3) National Police Commission (NAPOLCOM)
- 4) Philippine National Police (PNP)
- 5) National Bureau of Investigation (NBI)
- 6) Commission on Filipinos Overseas (CFO)
- 7) National Commission on the Role of Filipino Women (NCRFW)
- 8) Overseas Workers Welfare Administration (OWWA)
- 9) Philippines Overseas Employment Administration (POEA)
- 10) Commission on Human Rights (CHR)
- 11) National Anti-Poverty Commission (NAPC)

For this purpose, the TCC shall coordinate with the civil society particularly non-government organizations (NGOs), private business sector, academe and other interest groups in the formulation of policies and the implementation of government initiatives to suppress trafficking in persons, particularly women and children.

The Department of Foreign Affairs shall serve as Chair of the TCC. The TCC shall elect from among themselves a Co-Chair and a Vice-Chair.

SEC. 3. Secretariat. The Philippine Center on Transnational Crime (PCTC), being the Presidential agency tasked to formulate and implement a concerted program of action of all law enforcement, intelligence and other agencies for the prevention and control of transnational crime, as mandated by Section 1 of Executive Order No. 62, shall serve as the Secretariat of the Executive Council.

SEC. 4. Functions. The Executive Council shall assist the President in the formulation of policies and in their implementation in order to suppress trafficking in persons, particularly women and children. Specifically, the Executive Council, through the TCC, shall undertake appropriate programs and activities on the following key areas:

- Advocacy, Education, Training and Other Preventive Measures;
- Law Enforcement and Legislative Initiatives;
- Criminal Justice Management;
- Institutional and Intelligence Build-up and Networking;
- National Assistance Program, particularly Rehabilitation and Reintegration of Victims;
- Bilateral, Regional and International Cooperation; and
- Other areas relevant to the suppression of trafficking in persons, particularly women and children.

SEC. 5. Data/Information Sharing. The Executive Council shall ensure the effective exchange of data, information, or any pertinent report between and among member-agencies and support agencies.

SEC. 6. Security and Confidentiality of Data/Information. Data and information acquired from agencies shall be treated as confidential and shall be used only for lawful and official purposes.

The TCC shall formulate the necessary guidelines that will define the levels of access security guidelines for this purpose.

SEC. 7. Support Agencies. The Executive Council may seek the assistance and support of any Department, Bureau, Office, or any government agency, and engage civil society in the attainment of its objectives.

SEC. 8. Implementing Rules and Regulations. The Executive Council shall convene within 30 days after the effectivity of this Order to consider and approve necessary rules and regulations for the implementation of this Order.

SEC. 9. Meetings. The Executive Council shall meet at least once every quarter or as often as necessary. The TCC, on the other hand, shall meet regularly on a monthly basis.

SEC. 10. Funding. Initially for the current year, a funding of not less P5 million shall be sourced from the Presidential Contingency Fund/PAGCOR. Member-agencies can also draw from the current budget, including but not limited to savings and unprogrammed funds. For the succeeding years, funding requirements shall be included in the regular appropriation of said agencies.

SEC. 11. Reporting. The Executive Council shall submit appropriate reports and recommendations to the President at least once a year or as often as may be deemed necessary.

SEC. 12. Effectivity. This Order shall take effect immediately.

DONE in the City of Manila this 23rd day of March, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 221
AMENDING EXECUTIVE ORDER NO. 1086, SERIES OF 1986, ENTITLED “FIXING THE
BOUNDARIES OF THE RECLAIMED AREA OF THE VITAS IN THE TONDO FORESHORE
AND TRANSFERRING TO THE NATIONAL HOUSING AUTHORITY THE TITLE
AND THE ADMINISTRATION OF SAID AREA”

WHEREAS, the National Housing Authority (NHA) owns the Vitas reclamation area in Tondo, Manila pursuant to Executive Order No. 1086;

WHEREAS, the NHA embarked on a joint venture project known as the Smokey Mountain Development and Reclamation Project (SMDRP) which, among others, provides for the provision of housing units for residents in the Smokey Mountain area;

WHEREAS, Executive Order No. 1086 (s.1986) provided for certain guidelines fixing the boundaries of the reclaimed area of the Vitas in the Tondo Foreshore and Dagat-Dagatan Development, and the utilization of the proceeds of any disposal of said property;

WHEREAS, there is a need to amend Executive Order No. 1086, in order to make the SMDRP, particularly the housing project, benefit from the proceeds of the disposition of the Vitas property of NHA;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Section 2 of Executive Order No. 1086, series of 1986, shall be amended to read as follows:

“Section 2. The Bureau of Lands, Ministry of Natural Resources and the National Land Titles and Deeds Administration shall take immediate steps to issue the title of the above described land and those to be reclaimed in the name of the National Housing Authority which is authorized to dispose either by sale or lease or any other mode of disposition to qualified proponents, the proceeds of which shall be used to recover investments in the development of the residential areas in the Tondo Foreshore and Dagat-Dagatan Development Project and the Smokey Mountain Development and Reclamation Project.”

Section 2. All orders, issuances, rules and regulations or parts thereof, inconsistent with this order are hereby amended accordingly;

Section 3. This Executive Order takes effect immediately.

DONE in the City of Manila, this 23rd day of March, in the Year of Our Lord, Twenty Hundred.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT

EXECUTIVE ORDER NO. 222

**TRANSFERRING THE NATIONAL COMPUTER CENTER FROM THE OFFICE OF THE
PRESIDENT TO THE DEPARTMENT OF SCIENCE AND TECHNOLOGY**

WHEREAS, the government's National Information Technology Plan for the 21st Century (IT21) seeks to transform the Philippines into a Knowledge Center in Asia by the first decade of the 21st century;

WHEREAS, the National Information Technology Council (NITC), pursuant to EO No. 125, s. 1999, is tasked to coordinate and oversee the implementation of IT21, and to serve as the highest planning and policy advisory body on IT matters;

WHEREAS, the Department of Science and Technology (DOST) chairs the NITC and is actively involved in the pursuit of the IT21 vision;

WHEREAS, the National Computer Center (NCC), pursuant to EO No. 125, s. 1999, is tasked to provide technical and professional support to the NITC;

WHEREAS, there is need to effectively mobilize and coordinate the collective resources and talents of government entities concerned in the pursuit of the IT21 vision;

WHEREAS, government is committed to pursue a more responsive and efficient bureaucracy by adopting homogeneous grouping of functionally-related agencies;

WHEREAS, Section 31, Chapter 10, Title III, Book III of EO 292, s. 1987, provides continuing authority to the President to reorganize the administrative structure of the Office of the President.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. *Transferring NCC to DOST.* The NCC is hereby transferred from the Office of the President to the DOST to ensure more effective administrative supervision and information and communications technology policy and program coordination.

Section 2. *Repealing Clause.* All executive orders, rules and regulations, and other issuances or parts thereof that are inconsistent with the provisions of this Executive Order, are hereby either revoked or modified accordingly.

Section 3. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila, this 24th day of March, in the year of our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 223
SUPPLEMENTING EXECUTIVE ORDER NO. 191 ON THE DEACTIVATION OF THE
ECONOMIC INTELLIGENCE AND INVESTIGATION BUREAU AND FOR OTHER MATTERS

WHEREAS, Executive Order No. 191 directs the deactivation of the Economic Intelligence and Investigation Bureau (EIIB), including the termination or integration of its employees, the transfer of its assets and liabilities and the performance of its functions by other agencies, due to redundancy and duplication of functions;

WHEREAS, Republic Act No. 8760 mandates the winding up of the activities and operations of the EIIB and appropriates P44,922,000.00 for this specific purpose;

WHEREAS, Republic Act No. 6656 recognizes the need to protect the security of tenure of civil service officers and employees in the reorganization process without sacrificing the promotion of morale, efficiency, integrity, responsiveness, progressiveness, and courtesy in the civil service pursuant to Article IX, B, Section 3 of the Constitution;

WHEREAS, there is a need to maintain and coordinate certain economic intelligence operations in the Department of Finance and its attached bureaus and agencies;

WHEREAS, the deactivation of EIIB and the final disposition of its personnel, assets and liabilities require inter-agency coordination for its smooth and orderly implementation;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Creation of Task Force. A Task Force is hereby created to be chaired by the Executive Secretary, with the Secretary of Finance, the Secretary of Budget and Management and the Secretary of Justice as members, that shall provide policy guidelines for, and oversee, the final disposition of personnel, functions, assets and liabilities of the EIIB.

Section 2. Transfer or Re-Employment of EIIB Personnel. (a) EIIB personnel shall be given priority in hiring for existing vacant positions in other government agencies, subject to compliance with established qualification standards set by the receiving agencies. The transfer to or re-employment of EIIB personnel with other agencies shall be exempt from the prohibition on new hiring under Administrative Order No. 100 dated 01 December 1999. All accrued leave credits of EIIB personnel shall be paid within the period given in the next succeeding section.

(b) Transfer of functions under Section 4 hereof may, where necessary, carry with it transfer of the corresponding position/s that are not abolished or deemed redundant under Section 3 hereof from EIIB to the absorbing agency; Provided, that, functions inherent to DOF but have been exercised by EIIB and relevant positions shall be transferred or reverted to DOF. In all cases, the transfer of EIIB personnel shall be subject to qualification standards and the sound discretion of the appointing authority concerned.

Section 3. Separation or Retirement of EIIB Personnel. All EIIB personnel occupying positions listed in Annex "A" hereof shall be deemed separated from the service effective 30 April 2000, pursuant to a *bona fide* reorganization resulting to abolition, redundancy, merger, division, or consolidation of positions in order to meet the exigencies of the service. EIIB personnel qualified for retirement may elect

optional retirement as they may deem proper. All benefits, including payment of accrued leave credits, that may lawfully be given to EIIB employees by virtue of their transfer, retirement or separation from service shall be paid within one month from the filing of the necessary clearances and other pertinent documents.

Section 4. Transfer of Functions to Other Agencies. Law enforcement, intelligence and other functions previously performed by EIIB that relate to other agencies, such as the Department of Finance, National Bureau of Investigation (NBI), Bureau of Internal Revenue (BIR), and the Bureau of Customs (BOC), shall be transferred to or performed by the appropriate agency; Provided, that, anti-smuggling activities shall remain with the Presidential Anti-Smuggling Task Force “Aduana” until otherwise ordered by the President.

Section 5. Cases and Seized Goods. The EIIB skeletal force shall continue to prosecute and defend all pending judicial and administrative cases for or against the government, the EIIB and its officers and employees filed by reason of or in connection with the regular performance of its functions. All seized goods in the custody of EIIB shall remain in its safekeeping and shall not be released without the authority of the Secretary of Finance.

Section 6. Transfer of Assets and Liabilities. All assets and liabilities of EIIB are hereby transferred without cost to the DOF pending appropriate, final disposition.

Section 7. Extension of Period. The Task Force, in coordination with other concerned agencies, is hereby given until 30 June 2000 within which to fully implement the deactivation of EIIB. The Special Task Force shall be assisted by a skeletal force consisting of personnel occupying positions listed in Annex “B” hereof, for the task of winding-up EIIB operations and the safekeeping of its resources. Unless otherwise transferred to other agencies, members of the skeletal force will be deemed separated from the service due to abolition of position pursuant to *bona fide* reorganization effective 30 June 2000.

Section 8. Support of Other Agencies. The Task Force may request assistance from the Civil Service Commission and the Commission on Audit and such other agencies as may be necessary, to assist in the smooth implementation of this Order.

Section 9. Funding Requirements. Funds for existing vacant positions in other agencies to be filled up by EIIB personnel, positions to be transferred to other agencies, for the extension until 30 April 2000, and for the skeletal force shall be sourced from agency savings or, upon request, augmented by the Department of Budget and Management (DBM). The DBM shall give preference to the payment of accrued leave credits, separation and retirement benefits to EIIB personnel from the Miscellaneous Personnel Benefits Fund. The DBM shall also augment the DOF budget to service amortization payments and maintenance expenses for the EIIB Building/s and other capital assets.

Section 10. Final Report. The Task Force shall submit its final report and recommendation on the deactivation of EIIB to the President not later than 30 September 2000.

Section 11. Separability Clause. Any portion or provision of this Executive Order that may be declared unconstitutional shall not have the effect of nullifying other portions or provisions of the Order for as long as such remaining portions can still subsist and be given effect.

Section 12. Repealing Clause. All executive orders, rules, regulations and other issuances or parts thereof which are inconsistent with the provisions of this Executive Order are hereby revoked or modified accordingly.

Section 13. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 29th day of March, in the year of our Lord, Two Thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

(Sgd.) **RONALDO B. ZAMORA**

Executive Secretary

Source: **Presidential Museum and Library**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 121 - 230]*. Manila: Presidential Museum and Library.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 224

AMENDING EXECUTIVE ORDER NO. 180 TO RENAME THE QUICK RESPONSE ONE STOP ACTION CENTER FOR INVESTMENTS (QROSACI) AND TO DELINEATE THE OFFICE OF THE INVESTMENT OMBUDSMAN AS AN OFFICE ATTACHED TO THE DEPARTMENT OF TRADE AND INDUSTRY AND FOR OTHER PURPOSES

WHEREAS, intensive efforts are being undertaken to promote the country as an attractive investment destination;

WHEREAS, as a parallel effort, it is vital to ensure that focused attention be given to servicing the needs and addressing the complaints of existing local and foreign investors against departments, offices and agencies of the government which has investment-related functions, including local government units;

WHEREAS, activities and experience of the Investment Ombudsman since 01 December 1999 when Executive Order No. 180 creating the position of the Investment Ombudsman, was implemented, show that the complaints of existing investors, particularly the foreign investors who have large and significant investments in the country, demand full-time attention, and that the Investment Ombudsman is now perceived as a resource to ensure that the operations of local and foreign investors, particularly, exports, are not impeded.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order the following:

SECTION 1. Renaming the Quick Response One Stop Action Center for Investments (QROSACI) into the One Stop Action Center (OSAC) and reverting it to the Board of Investments (BOI) as an office thereof. To sustain the recognition and name recall it has earned from the time it was originally constituted, the QROSACI shall revert to its original name of One Stop Action Center (OSAC). Further, in order to effectively focus the operations of the Center to complement the investment promotion efforts of the BOI, the Center shall be reverted back to its former status as an office under the BOI.

SEC. 2. Delineating the Office of the Investment Ombudsman, hereinafter referred to as OIO, as an Office attached to the Department of Trade and Industry (DTI). The OIO, which was created under Executive Order No. 180 to perform the specific function of assisting current and potential investors, shall be an office attached to the DTI for administrative supervision and policy coordination.

SEC. 3. Repealing Clause. All issuances, orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Executive Order are hereby repealed and modified accordingly.

SEC. 7. Effectivity. This Executive Order takes effect immediately.

DONE in the City of Manila, this 3rd day of April, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 225

RENAMING THE EXPORT DEVELOPMENT COUNCIL AS THE TRADE AND INDUSTRY DEVELOPMENT COUNCIL AND EXPANDING ITS MANDATE TO ABSORB THE DOMESTIC TRADE DEVELOPMENT COUNCIL AND THE INDUSTRY DEVELOPMENT COUNCIL

WHEREAS, the integration of the Philippine economy into the global arena must be managed to ensure sustained economic growth and increased opportunities for Filipinos;

WHEREAS, the successful integration of the Philippine economy into the global arena rests on the capacity of Philippine industries to compete globally;

WHEREAS, under a global trade regime, even the domestic market takes on the character of a global market with the increased entry of foreign competition;

WHEREAS, developing and sustaining the competitiveness of Philippine products and services requires the development of competitive industrial foundations, a strong local base, and domestic linkages, which are rooted in the various regions of the country;

WHEREAS, public policy must be coordinated to support the drive towards global competitiveness to enable Philippine firms to enter new markets, develop and exploit new technological and organizational advantages, and operate with reduced risks and costs within the global economic environment;

WHEREAS, the Export Development Council (EDC) has been institutionalized under Republic Act 7844 or the Export Development Act of 1994, and the Industry Development Council and the Domestic Trade Development Council have significant similarities in composition, powers and functions, and underlying objectives as the EDC;

WHEREAS, there is a need to integrate all three Councils into one high-level body to ensure policy coherence and consistency, and harmonize strategic directions and courses of action, while optimizing the use of public and private resources, in the drive to develop globally-competitive Philippine industries, products and services;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order:

SECTION 1. Reorganizing the Export Development Council into the Trade and Industry Development Council. The Export Development Council is hereby renamed as the Trade and Industry Development Council (hereinafter referred to as TIDC) and its mandate shall be expanded to absorb the functions of the Industry Development Council and Domestic Trade Development Council, thereby abolishing the two latter councils.

SEC. 2. Composition. The TIDC shall be composed of the following members:

- | | |
|---|-------------|
| (a) Secretary of Trade and Industry | Chairperson |
| (b) Secretary of Agriculture | Member |
| (c) Governor of the Bangko Sentral ng Pilipinas | Member |

(d) Secretary of Finance	Member
(e) Secretary of Foreign Affairs	Member
(f) Secretary of Interior and Local Government	Member
(g) Secretary of Labor and Employment	Member
(h) Director-General of the National Economic Development Authority	Member
(i) Secretary of Science and Technology	Member
(j) 9 representatives from the private sector, one of whom shall be appointed as Vice-Chairperson	Member

The private sector representatives shall be appointed by the President from among nominees of the accredited exporters organization, leading industry associations and the Secretary of Trade and Industry, and shall serve a term of two years. They shall be selected from among leaders of the export sector, leading industrialists, industry experts, members of the academe, and other special interest groups. The inclusion of representatives from the Visayas and Mindanao shall also be ensured.

A permanent representative from the Office of the President shall be present during all meetings of the TIDC.

Representatives from other Departments and Agencies and private organizations, and individuals may be called upon to attend meetings and assist the TIDC in addressing issues and problems that concern their respective offices.

SEC. 3. Powers and Functions. The TIDC shall:

- (a) Define the overall trade development strategy for the country which will be based on the development of a strong domestic industrial base and directed towards global competitiveness;
 - (b) Approve a Philippine Trade Development Plan; coordinate, monitor and assess the implementation thereof, and when necessary, institute appropriate adjustments thereon in the light of changing conditions in both the domestic and international environment;
 - (c) Periodically review and assess the country's performance in terms of exports, industrial growth and development, and domestic trade;
 - (d) Identify the main bottlenecks, problem areas and constraints in all areas/sectors/activities which influence the growth and flow of trade, and development of industries, including, but not limited to, such matters as policy framework, physical infrastructure, finance, technology, production, promotions and marketing;
 - (e) Mandate specific departments and agencies to attend to the bottlenecks and problems constraining the development of exports in any of the areas mentioned in paragraph (d) above, and require the concerned Secretaries to deliver progress reports on the actions/initiatives taken to resolve these areas of concern at the next meetings;
 - (f) Ensure product and services quality by overseeing the formulation and implementation of quality control guidelines by appropriate agencies to make Philippine products and services at par with world-class products;
 - (g) Impose sanctions on any government agency or officer or employee thereof, or private sector entity that impedes efficient trade of Philippine goods;
 - (h) Recommend to Congress any proposed legislation that would contribute to the development of Philippine industries, products and services;
 - (i) Submit quarterly reports to Congress;
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- (j) Formulate policies or recommend measures relative to the rationalization and streamlining of government's trade and industry development and promotion functions/activities and programs;
 - (k) Formulate policies for the grant of incentives;
 - (l) Adopt such policies, rules and procedures, and administrative systems for the efficient and effective exercise of its powers and functions;
 - (m) Grant and review the accreditation of the organization of exporters or other business organizations, provided, that the organizations shall be the dominant ones among existing organizations as determined under guidelines initially promulgated by the EDC and reviewed by the TIDC;
 - (n) Issue standards and policies to be observed by Local Government Units (LGUs) in order to:
 - (1) Ensure that LGUs plans and budgets are supportive of the agri-industrial growth and global competitiveness thrusts of the national government; and
 - (2) Ensure optimal allocation of expenditures.

The DILG and the regional development councils shall be the channels through which these standards and policies shall be coursed.

SEC. 4. Secretariat. The TIDC shall be assisted by a Secretariat based in the Department of Trade and Industry, headed by an official designated by the Chairman, and which will be composed of personnel assigned by the government agencies and private sector organizations represented in the TIDC.

SEC. 5. Meetings. The TIDC shall meet at least once a month, and at least once every quarter with the President; Provided, whenever the President deems it necessary, he may convene the TIDC.

SEC. 6. Funding. The activities and operational expenses of the TIDC shall be funded jointly by budgetary appropriations from the government and by contributions from the private sector.

SEC. 7. Repealing Clause. All other executive issuances, rules and regulations or parts thereof which are inconsistent with the provisions of this Executive Order are hereby repealed, amended or modified accordingly, including:

- 7.1 Executive Order No. 499 (1991) entitled "Creating an Export and Investment Development Council, Defining its Composition, Powers and Functions";
- Executive Order No. 520 (1992) entitled "Amending Executive Order No. 499 dated December 23, 1991, Creating an Export and Investment Development Council, Defining its Composition, Powers and Functions to include in the Council the Secretary of Foreign Affairs";
- Executive Order No. 24 (1992) entitled "Strengthening the Export and Investment Development Council, Amending for this purpose Executive Order Nos. 499 and 520, to increase the government and private sector members of the Council";
- Executive Order No. 98 (1993) entitled "Reorganizing the Export and Investment Development Council into the Export Development Council";
- Executive Order No. 110 (1993) entitled "Strengthening the Export Development Council, Amending for this purpose Executive Order No. 98 to increase the government and private sector members of the Council";

Executive Order No. 180 (1994) entitled “Strengthening the Export Development Council, Amending for this purpose Executive Order No. 110, Further amending EO No. 98”;
Executive Order No. 380 (1996) entitled “Creating the Industry Development Council, Defining its Composition, Powers and Functions”;
Executive Order No. 480 (1998) entitled “Amending Executive Order No. 380 dated 2 December 1996, Creating the Industry Development Council, Defining its Composition, Powers and Functions”;
Executive Order No. 58 (1998) entitled “Creating a Domestic Trade Development Council, Defining its Composition, Powers and Functions”.

8. Effectivity. This Order takes effect immediately.

DONE in the City of Manila, this 3rd day of April, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 226
ADJUSTING THE DIVIDEND RATE OF THE DEVELOPMENT BANK OF THE PHILIPPINES ON
ITS 1999 EARNINGS PURSUANT TO SECTION 5 OF REPUBLIC ACT NO. 7656

WHEREAS, Section of Republic Act No. 7656 provides that:

“Section 1. Declaration of Policy. It is hereby declared the policy of the State that in order for the National Government to realize additional revenues, government-owned and/or controlled corporations, without impairing their viability and the purposes for which they have been established, shall share a substantial amount of their net earnings to the National Government.”

WHEREAS, to support the viability and mandate of the Development Bank of the Philippines (DBP), the liquidity, retained earnings position and medium-term plans and programs of DBP was considered in the determination of the reasonable dividend rates of said corporation on its 1999 net earnings;

WHEREAS, pursuant to Section 5 of RA 7656, the Secretary of Finance recommended the adjustment on the percentage of annual net earnings that shall be declared by the DBP in the interest of national economy and general welfare;

NOW THEREFORE, I, JOSEPH E. ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The percentage of net earnings to be declared and remitted by the DBP as dividends to the National Government as provided for under Section 3 of Republic Act No. 7656 is adjusted from at least fifty percent (50%) to ten percent (10%).

SECTION 2. The adjusted dividend rate provided for under Section is only applicable on 1999 net earnings of the DBP.

SECTION 3. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 3rd day of April, in the year of Our Lord, wo Thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

(Sgd.) **RONALDO B. ZAMORA**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 227
ADJUSTING THE DIVIDEND RATES OF SELECTED GOVERNMENT-OWNED AND/
OR CONTROLLED CORPORATIONS ON THEIR 1996 NET EARNINGS PURSUANT TO
SECTION 5 OF REPUBLIC ACT NO. 7656

WHEREAS, Section 1 of Republic Act No. 7656 provides that:

“Section 1. Declaration of Policy. It is hereby declared the policy of the state that in order for the National Government to realize additional revenues, government-owned and/or controlled corporations, without impairing their viability and the purposes for which they have been established, shall share a substantial amount of their net earnings to the National Government.”

WHEREAS, to support the viability and mandate of government-owned and/or controlled corporations (GOCCs), the liquidity, retained earnings position and medium-term plans and programs of these GOCCs were considered in the determination of the reasonable dividend rates of such corporations on their 1996 net earnings;

WHEREAS, pursuant to Section 5 of RA 7656, the Secretary of Finance recommended the adjustment on the percentage of annual net earnings that shall be declared by various GOCCs in the interest of national economy and general welfare;

NOW THEREFORE, I, JOSEPH E. ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The percentage of net earnings to be declared and remitted by the following GOCCs as dividends to the National Government as provided for under Section 3 of Republic Act No. 7656 is adjusted from at least fifty percent (50%) to the rates specified hereunder:

Cebu Port Authority	15% (cash)
2. Land Bank of the Philippines	30% (cash)
3. Mactan Cebu International Airport Authority	10% (cash)
4. Manila International Airport Authority	25% (cash)
5. Metropolitan Waterworks and Sewerage System	30% (cash)
6. National Electrification Administration	15% (cash)
7. National Power Corporation	10% (cash)
8. Philippine National Oil Company	10% (cash)
9. Philippine Retirement Authority	30% (cash)
10. PHIVIDEC Industrial Authority	20% (cash)
11. Public Estates Authority	50% (cash)

SECTION 2. The adjusted dividend rates provided for under Section 1 are only applicable on 1996 net earnings of the concerned government-owned and/or controlled corporations.

SECTION 3. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 3rd day of April, in the year of Our Lord, Two Thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

(Sgd.) **RONALDO B. ZAMORA**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 228
ADJUSTING THE DIVIDEND RATES OF SELECTED GOVERNMENT-OWNED AND/
OR CONTROLLED CORPORATIONS ON THEIR 1997 NET EARNINGS PURSUANT TO
SECTION 5 OF REPUBLIC ACT NO. 7656

WHEREAS, Section 1 of Republic Act No. 7656 provides that:

“Section 1. Declaration of Policy. It is hereby declared the policy of the state that in order for the National Government to realize additional revenues, government-owned and/or controlled corporations, without impairing their viability and the purposes for which they have been established, shall share a substantial amount of their net earnings to the National Government.”

WHEREAS, to support the viability and mandate of government-owned and/or controlled corporations (GOCCs), the liquidity, retained earnings position and medium-term plans and programs of these GOCCs were considered in the determination of the reasonable dividend rates of such corporations on their 1997 net earnings;

WHEREAS, pursuant to Section 5 of RA 7656, the Secretary of Finance recommended the adjustment on the percentage of annual net earnings that shall be declared by the Land Bank of the Philippines (LBP) and National Electrification Administration (NEA) in the interest of national economy and general welfare;

NOW THEREFORE, I, JOSEPH E. ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The percentage of net earnings to be declared and remitted by the LBP and NEA as dividends to the National Government as provided for under Section 3 of Republic Act No. 7656 is adjusted from at least fifty percent (50%) to the rates specified hereunder:

- | | |
|--|------------|
| 1. Land Bank of the Philippines | 15% (cash) |
| 2. National Electrification Administration | 25% (cash) |

SECTION 2. The adjusted dividend rates provided for under Section 1 are only applicable on 1997 net earnings of the concerned government-owned and/or controlled corporations.

SECTION 3. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 3rd day of April, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 229

AMENDING EXECUTIVE ORDER NO. 490, SERIES OF 1998, AS AMENDED, ENTITLED
“ESTABLISHING THE PRINCIPAL OFFICE IN MANILA OF THE MANILA ECONOMIC AND
CULTURAL OFFICE AND TRANSFERRING THE SUPERVISION OVER ITS OPERATIONS AND
ACTIVITIES TO THE DEPARTMENT OF FOREIGN AFFAIRS”

WHEREAS, on 17 July 1998, Executive Order No. 4 was issued, amending, among other provisions, Section 4 of Executive Order No. 490, series of 1998, thereby transferring to the Office of the President the operational supervision and control over the principal office in Manila of the Manila Economic and Cultural Office (MECO) and its branch offices in Taiwan;

WHEREAS, public interest and security considerations and the imperatives of the One-China Policy require that the administrative relationship of the Office of the President and MECO be redefined;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by the law do hereby order:

SECTION 1. Section 4 of Executive Order No. 490, as amended by Executive Order No. 4, series of 1998, otherwise known as “ESTABLISHING THE PRINCIPAL OFFICE IN MANILA OF THE MANILA ECONOMIC AND CULTURAL OFFICE AND TRANSFERRING THE SUPERVISION OVER THE OPERATIONS AND ACTIVITIES TO THE DEPARTMENT OF FOREIGN AFFAIRS”, is hereby further amended to read as follows:

“**SEC. 4. OPERATIONAL SUPERVISION.** Supervision over the principal office in MANILA of the MECO and its branch offices in Taiwan is hereby placed under the Office of the President. The Office of the Executive Secretary shall exercise supervision over the MECO. To ensure the proper implementation of this administrative arrangement, the Senior Deputy Executive Secretary shall sit in the MECO Board as Director.”

SEC. 2. All orders, issuances, rules and regulations or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 3. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 7th day of April, in the year of our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 230
AUTHORIZING THE ESTABLISHMENT AND MAINTENANCE OF A “SUPER GREEN LANE
FACILITY” AT THE BUREAU OF CUSTOMS

WHEREAS, there is a need to enhance trade facilitation, particularly in the processing of import cargoes at the Bureau of Customs;

WHEREAS, under clearly defined conditions, the country’s topmost qualified importers may be allowed to avail of the special customs clearance facility that will allow advance processing and clearance of their importation without jeopardizing collection performance;

WHEREAS, this special facility called as “Super Green Lane” using the Electronic Data Interchange will result in considerable savings in time and money for the qualified importers;

WHEREAS, to ensure the sustainability of the Super Green Lane facility the importers, being the direct beneficiaries, shall be charged a service fee for every importation processed under this facility;

WHEREAS, the service fees to be collected shall be deposited in a trust fund which may be expended to enhance the efficiency and effectiveness of this Customs facility;

NOW, THEREFORE, I, PRESIDENT JOSEPH EJERCITO ESTRADA, by virtue of the powers vested in me by law, do hereby order the following:

Section 1. Establishment of a Super Green Lane Facility. A Super Green Lane Facility established by the Department of Finance and the Bureau of Customs is hereby authorized which with the use of Electronic Data Interchange will allow for the advance processing and clearance of the shipments of the country’s topmost qualified importers without the benefit of prior physical examination and documentary check on their shipments upon compliance with pertinent Customs laws, rules and regulations.

Section 2. Trust Fund Creation. A Super Green Lane Trust Fund is hereby created and established which shall be sourced from the service fee charged for every shipment of qualified importers utilizing the Super Green Lane Facility to be recorded and disbursed in accordance with such rules and regulations as may be determined by the Permanent Committee created under Section 45 of Executive Order No. 292, otherwise known as the Administrative Code of 1987. The Permanent Committee shall likewise monitor and evaluate the activities and balances of the Trust Fund.

Section 3. Trust Fund Utilization. The Super Green Lane Trust Fund may be expended and utilized to enhance the Facility’s efficiency and effectiveness, particularly for the following purposes:

- a. Maintenance and improvement of the operation of the Super Green Lane Facility, including the Automated Customs Operation System and related computer systems of the Bureau of Customs;
- b. Institutionalization of post audit procedures and processes;
- c. Fraud investigations and prosecutions;

- d. Training and programs to enhance the capability and competence of personnel and staff of the Facility;
- e. Such other activities and programs as may be deemed appropriate by the Bureau of Customs to enhance the effectiveness and efficiency of the Facility.

Section 4. Rules and Regulations. The Secretary of Finance and the Commissioner of Customs shall issue the necessary rules and regulations to effectively implement this Order.

Section 5. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 31st day of March, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: Presidential Management Staff

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 231
ESTABLISHING THE COORDINATIVE MECHANISM FOR THE IMPLEMENTATION OF THE
ECONOMIC RECOVERY THROUGH AGRI-FOREST PRODUCTIVITY IN CARAGA

WHEREAS, the Regional Development Council – Caraga Region has formulated its programs called the Economic Recovery through Agri-Forest Productivity in Caraga which aims to respond to the thrust of the administration for food security and poverty alleviation;

WHEREAS, there is a need to establish a coordinative and integrative mechanism to focus on the development activities and projects under this program;

WHEREAS, Sec. 14, Article X of the 1987 Philippine Constitution states that: “The President shall provide for regional development councils or other similar bodies composed of local government officials, regional heads of departments and other government offices, and representatives from non-government organization within the region for purposes of administrative decentralization to strengthen the autonomy of units herein and to accelerate the economic and social growth and development of the units of the region”;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of powers vested in me by law and the Constitution, do hereby order the following:

SECTION 1. Establishment of the Caraga Development Board. There is hereby established the Caraga Development Board, hereinafter referred to as the Board, which shall serve as the special body under the Caraga Regional Development Council to coordinate and promote the programs and projects for regional development in Caraga.

SECTION 2. Composition of the Board. The Caraga Development Board shall be composed of the following: (a) RDC Chairperson; (b) RDC Co-Chairperson; (c) RDC Vice-Chairperson; (d) the four Chairpersons of the RDC Sectoral Committees; (e) Governors of the provinces of Agusan del Norte, Agusan del Sur, Surigao del Norte, Surigao del Sur and the Mayors of the cities of Butuan and Surigao (f) Regional Director of DA; (g) Regional Director of DENR; and (h) six additional members from the private sector to be selected under the supervision of the RDC Secretariat.

SECTION 3. Powers and Functions of Board. The Board shall exercise the following powers and functions:

- a) Provide the general directions in the implementation, monitoring and evaluation of the Project;
- b) Facilitate, oversee and assess the progress of the implementation of the project;
- c) Review the annual and multi-year investment programs for submission to the Regional Development Council for approval;
- d) Review, approve and endorse to responsible agency or LGU all special funds coming into through the Boards initiative, for the implementation of various development projects;

-
- e) Organize the Project Management Office (PMO) define its organizational set-up, establish its staffing pattern, formulate its implementing rules and regulations pertaining to its internal operations;
 - f) Exercise oversight functions of overall contracts entered into by the PMO;
 - g) Review and approve all work and financial plans of the PMO;
 - h) Accept and manage grants and financial assistance for the development of the area;
 - i) Submit to the Regional Development Council an annual progress report of the Project and activities undertaken under it.

SECTION 4. Project Management Office. The Project Management Office is hereby established to serve as the technical and administrative secretariat of the Board. It shall perform the following functions:

- a) It shall serve as the technical and administrative secretariat of the Board, and as such, undertake the day-to-day activities of the Project;
- b) Prepare the annual program for project implementation;
- c) Coordinate with all the agencies involved in the implementation of the new projects;
- d) Identify priority projects for immediate implementation and recommend funding thereof;
- e) Coordinate activities of all on-going pre-feasibility/feasibility studies and development programs within the areas covered by the Project;
- f) Prepare and recommend to the Board annual appropriation for the operationalization of the PMO and for the implementation of the priority programs under the Project;
- g) Prepare and submit to the Board regular updates on implementation status of the various components of the Project;
- h) Do other functions that maybe required by the Project Board and/or the RDC.

SECTION 5. Coordination and Integration Mechanism. To promote and maintain an effective coordination among development players in the project, the implementing agencies are hereby directed to closely coordinate with CDB, through the PMO, the preparation and implementation of their respective plans and programs to ensure integration and complementation of all development initiatives. Further, said agencies are hereby instructed to attend and actively participate in meetings/ consultations and the like, that the CDB may initiate and hold.

SECTION 6. Funding. For the initial funding of the project, a sum of P1.6 M from the contributions of the four (4) provinces and two (2) cities at P200,000.00 each and P20,000.00 each from the twenty (20) national government agencies shall be collected.

As contribution from the National Government, the amount of P20 M from the Office of the President is hereby provided to the Board, through the RDC. The Department of Budget and Management shall henceforth provide allocation from the annual budget upon the submission of the Board of its work and financial plans for the year.

SECTION 7. Separability Clause. If any part or provision of this Executive Order is held invalid or unconstitutional, the other parts or provisions not affected shall remain valid and effective.

SECTION 8. Effectivity. This Executive Order shall take effect fifteen (15) days after its publication in two (2) newspapers of national circulation.

DONE in the City of Manila, this 17th day of April, in the year of Our Lord, Two Thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 232

**AMENDING EXECUTIVE ORDER NO. 462, SERIES OF 1997, ENABLING PRIVATE
SECTOR PARTICIPATION IN THE EXPLORATION, DEVELOPMENT, UTILIZATION AND
COMMERCIALIZATION OF OCEAN, SOLAR AND WIND ENERGY RESOURCES FOR POWER
GENERATION AND OTHER ENERGY USES**

WHEREAS, Executive Order No. 462, Series of 1997, enables the private sector to participate in the exploration, development, utilization and commercialization of ocean, solar and wind (OSW) energy resources for power generation and other energy uses;

WHEREAS, it is in the national interest to accelerate the development and utilization of OSW energy resources by encouraging greater private sector investment and participation in the implementation of new and renewable energy (NRE) activities and projects;

WHEREAS, in line with the government's poverty alleviation thrust especially in remote rural areas, the use of NRE resources will be prioritized in electrifying off-grid barangays;

WHEREAS, considering the important role of the private sector, market-driven approach should be adopted in the development and utilization of NRE resources;

WHEREAS, hybrid systems (i.e., using both NRE and conventional) should be pursued for power generation with special consideration to the technical and economic aspects of the project.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Sections 1, 2, 14 and 16 of Executive Order No. 462, Series of 1997, are hereby respectively amended to read as follows:

“Section 1. Exploration, Development and Utilization of OSW Energy Resources. Subject to existing rights, the government, through the Department of Energy (DOE), shall engage in the assessment, field verification, harnessing, development and utilization of ocean, solar and wind (OSW) energy resources through the participation of the private sector under production sharing contracts awarded by the Secretary of the DOE, after due consultation with the host communities and local government units concerned, through public bidding or negotiation. The production sharing contractor must meet DOE standards for technical and financial capability.”

“Sec. 2. Scope of Production-sharing Contracts. Production-sharing contracts, as herein authorized, shall be applied to projects meeting all of the following criteria:

- Harnesses OSW resources in lands of the public domain and/or offshore waters within the Philippine territory, contiguous zone and exclusive economic zone. All lands or offshore waters covered by contracts granted under this Order shall be subject in public easements established or recognized by existing laws;
- b. Has a net electric output of more than MW for sale to an electric utility.

Projects that do not meet all of the above criteria shall be considered as Private OSW Projects and shall be subject to Section 3 thereof.

“**Sec. 14. Government Share.** Considering the prospectivity of generating profit from the operation of the contract, a government share (GS) shall be determined through bidding or negotiation between the DOE and the contractor. The GS shall include a signature bonus and production bonus. The signature bonus shall be given to DOE at the date of signing of the Pre-Negotiated Commercial Contract upon the issuance of a “Letter of Confirmation” of the commercial feasibility of the project by the Secretary of the DOE. The government shall waive the signature bonus on the first project to reduce the pre-operating cost burden on the OSW production sharing contractor. The production bonus shall be paid to the DOE at the end of each calendar year during the commercial phase of the project and shall be applied only after the project has fully recovered its pre-operating expenditures. Moreover, to protect the welfare of electricity consumers, the GS shall be limited to values that shall not result in electricity prices higher than the contracted selling rates to electric utility in the area where project is located. The production bonus shall not exceed 15% of net proceeds where net proceeds is equal to the sum of gross sales less operating and maintenance costs.”

“**Sec. 16. Assistance to OSW Developers.** In addition to the incentives and privileges under existing laws, the DOE shall assist OSW developers in the following areas:

- Obtain all applicable fiscal and non-fiscal incentives, including registration as pioneer industry under the Board of Investments.
- b. Allow OSW developers to charge the cost of assessment, field verification and feasibility studies of such other sites to its current commercial projects to encourage the development of more OSW resources in other sites.
- c. Secure access to lands and/or offshore areas where OSW energy resources shall be harnessed.
- d. Undertake a regular study that will provide the basis for the proper valuation of intermittent electrical energy generation from OSW resources and reflect future developments, taking into consideration the vast differences in scale and application of OSW energy resources.”

Sec. 2. Implementing Rules and Regulations. The DOE, in coordination with concerned government agencies, shall issue amendments to the existing rules and regulations within sixty (60) days after effectivity of the Order.

Sec. 3. Effectivity. This Executive Order shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Done in the City of Manila, this 23rd day of APRIL, in the year of our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 233

TRANSFERRING THE ATTACHMENT OF THE LIVELIHOOD CORPORATION (LIVECOR),
THE HUMAN SETTLEMENTS DEVELOPMENT CORPORATION (HSDC) AND ALL THEIR
SUBSIDIARIES TO THE DEPARTMENT OF AGRICULTURE

WHEREAS, it is the Government's policy to rationalize and streamline the livelihood sector to be able to provide a comprehensive livelihood program and services to the poor;

WHEREAS, the Department of Agriculture (DA), created primarily to improve farm income and generate work opportunities for farmers, fishermen and other rural workers, is the lead agency for the Government's food security program;

WHEREAS, the Livelihood Corporation (Executive Order No. 866, s. 1983), the Human Settlements Development Corporation (Presidential Decree No. 1386, s. 1973) and their subsidiaries (i.e. National Agri-Business Corporation, Northern Foods Corp., Philippine Genetics, Inc., etc.) are all engaged in agri-related livelihood undertakings catering to the needs of the underprivileged sector;

WHEREAS, the transfer of LIVECOR and HSDC including their subsidiaries under the direct supervision and control of the DA shall strengthen government's capability to provide livelihood and other support services to the farmers, fishermen and other rural workers through a more cohesive coordination among these agencies;

WHEREAS, LIVECOR and HSDC are attached to the Office of the Executive Secretary by virtue of Executive Order No. 21 dated 27 August 1998;

WHEREAS, one of the offices under LIVECOR is the Guarantee Fund for Small and Medium Enterprises (GFSME);

WHEREAS, the GFSME of LIVECOR and the Small Business Guarantee and Finance Corporation (SBGFC) which is attached to the Department of Trade and Industry undertake homogeneous functions;

WHEREAS, under Section 31, Chapter 10, Book III of the Administrative Code of 1987, the President of the Philippines has continuing authority to reorganize the administrative structure of the Office of the President and may transfer any agency under the Office of the President to any other department or agency.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The Livelihood Corporation, the Human Settlements Development Corporation and all their subsidiaries, except the GFSME, are hereby attached, for supervision, control and policy/program coordination, to the Department of Agriculture.

SECTION 2. The Secretary of Agriculture, as head of the supervising agency, is hereby designated *ex-officio* Chairman of the Boards of Trustees of LIVECOR and HSDC.

SECTION 3. The GFSME shall be attached for supervision, control, policy/program coordination to the DTI. The attachment of the GFSME to the DTI is for the purpose of consolidating the activities

of the GFSME with that of the SBGFC. The DTI is mandated to undertake such steps to effect the consolidation.

SECTION 4. The Secretary of Agriculture is hereby authorized to reorganize, streamline, merge, deactivate or dispose assets of the above-mentioned corporations, subject to existing laws. Separation or other benefits owing to any personnel affected shall be paid from any available funds in the above corporations and, if insufficient, shall be provided by the Department of Budget and Management.

SECTION 5. All laws, executive order, rules and regulations or parts thereof inconsistent with this Executive Order are hereby repealed, amended or modified accordingly.

SECTION 6. This Executive Order shall take effect immediately.

DONE in the City of Manila, Philippines this 26th day of April, in the year of Our Lord Two Thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:
(Sgd.) **RONALDO B. ZAMORA**
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 234

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED FOR UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE 2000-2003 PHILIPPINE SCHEDULE OF TARIFF REDUCTION OF PRODUCTS TRANSFERRED FROM THE TEMPORARY EXCLUSION LIST AND THE SENSITIVE LIST TO THE INCLUSION LIST OF THE ACCELERATED COMMON EFFECTIVE PREFERENTIAL TARIFF (CEPT) SCHEME FOR THE ASEAN FREE TRADE AREA (AFTA) AND THE UNIFICATION OF THE CEPT RATES ON EXTRACTED TARIFF LINES

WHEREAS, at its Meeting on 11 November 1998, the Tariff Related Matters (TRM) Cabinet Committee approved the transfer of popcorn and grain sorghum from the CEPT Sensitive List to the Inclusion List;

WHEREAS, at its Meeting on 19 August 1999, the NEDA Board approved the acceleration of the CEPT rates on eight hundred fifty (850) tariff lines to 0-5% and likewise decided on the unification of the CEPT rates on extracted tariff lines to facilitate the implementation of the AFTA-CEPT on said products;

WHEREAS, the 13th AFTA Council Meeting and the 31st ASEAN Economic Ministers' Meeting held in Singapore on 29 September 1999 and 30 September 1999, respectively agreed that ASEAN Member Countries shall prepare the legal enactment to implement the schedule of tariff reductions of products transferred from the Temporary Exclusion List (TEL) to the CEPT Inclusion List covering the period from 2000-2003;

WHEREAS, Section 402 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, empowers the President, upon the recommendation of the National Economic and Development Authority, to increase, reduce or remove existing protective rates of import duty, as well as to modify the form of duty.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in Annex "A" (Articles Granted Concession under the AFTA-CEPT) hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the ASEAN Common Effective Preferential Tariff in accordance with the 2000-2003 schedule indicated in Columns 4-7 of Annex "A". The ASEAN CEPT rates so indicated shall be accorded to imports coming from ASEAN member states applying CEPT concession to the same product pursuant to Article 4 of the CEPT Agreement and its Interpretative Notes.

SECTION 2. In the event that any subsequent changes are made in the basic (MFN) Philippine rate of duty on any of the articles listed in Annex "A" to a rate lower than the rate prescribed in Columns 4-7 of Annex "A" such article shall automatically be accorded the corresponding reduced duty.

SECTION 3. The Margins of Preference (MOPs) accorded under the ASEAN Preferential Trading Arrangements (PTA) shall no longer be extended to any of the products listed in Annex “A” hereof.

SECTION 4. From the date of effectivity of this Order, all articles listed in Annex “A” entered or withdrawn from warehouses in the Philippines for consumption shall be imposed the rates of duty therein prescribed subject to qualification under the Rules of Origin as provided for in the Agreement on the CEPT Scheme for the AFTA signed on 28 January 1992.

SECTION 5. All Presidential issuances, administrative rules and regulations, or parts thereof, which are contrary or inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 6. This Executive Order shall take effect 1 January 2000.

DONE in the City of Manila, this 27th day of APRIL, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President
RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 235
CREATING AN INDEPENDENT COMMITTEE TO CONDUCT A FACT FINDING
INVESTIGATION OF THE CRASH OF AIR PHILIPPINES FLIGHT 541

WHEREAS, the recent air tragedy involving Air Philippines Flight 541 is a matter of utmost concern not only because of the loss of lives and property but also because it involves national interest;

WHEREAS, air safety is primordial concern of government and the general public and urgent measures should accordingly be taken to promote and ensure air safety in order to effectuate and enhance the economic and political stability of the country;

WHEREAS, the Air Transportation Office is mandated to conduct investigation of air mishaps, including the crash of Air Philippines Flight 541, pursuant to Republic Act No. 776 as amended by Presidential Decree No. 844, Presidential Decree No. 1274, Presidential Decree No. 1462 and Executive Order No. 546, series of 1979; and

WHEREAS, there is a need to address the plea raised by the families of the victims of the crash of Air Philippines Flight 541 and the general public to have an objective and independent fact finding body to look into the said air tragedy.

NOW THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Creation of an Independent Investigation Committee. There is hereby established an Investigation Committee composed of the following:

Gen. William K. Hotchkiss (Ret.)	Chairman
Assistant Executive Secretary Gaudencio A. Mendoza	Member
Gen. Rodolfo A. Ecarma (Ret.)	Member
Mr. Constancio Navarro	Member
Mr. Amado Soliman	Member

SECTION 2. Functions. The Committee shall have the following functions:

- a. Investigate the facts and circumstances surrounding the recent crash of Air Philippines Flight 541;
- b. Determine the cause of the incident as well as the person(s)/entity(ies) responsible for the same;
- c. Recommend appropriate measures to address the findings of the fact finding investigation; and
- d. Recommend measures to prevent the occurrence of similar incidents in the future.

SECTION 3. Investigative Authority. The Committee shall have the powers and prerogatives of an investigating committee under the Administrative Code of 1987, including the power to summon witnesses, administer oath or take testimony or evidence relevant to the investigation by *subpoena*

ad testificandum and *subpoena duces tecum*. The Committee is hereby empowered to call upon and secure the assistance of any department, agency or instrumentality of the government, including government corporations, in the performance of its duties and discharge of its functions.

SECTION 4. Secretariat. There is hereby created a Secretariat which shall provide technical and administrative support to the Committee. It shall be headed by Assistant Executive Secretary for Legal Affairs Gaudencio A. Mendoza. He shall be assisted by officials and personnel from the Office of the President, Department of Transportation and Communications, Department of Justice, National Bureau of Investigation and Philippine National Police who shall be detailed by their respective Heads of Office to the Secretariat for the duration of the investigation. The Office of the Assistant Secretary for Legal Affairs shall serve as the Secretariat's base of operations.

SECTION 5. Funding. The Department of Budget and Management is hereby directed to allocate one million pesos (P1,000,000.00) from the Contingency Fund or any available fund to support the operations and activities of the Committee. Funds for this purpose shall be released through the Office of the President;

SECTION 6. Reporting Requirements. The Committee shall prepare and submit its report to the President within thirty (30) days after completion of its investigation.

SECTION 7. Repealing Clause. All issuances, orders, rules and regulations or parts thereof which are inconsistent herewith are hereby repealed or modified accordingly.

SECTION 8. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 27th day of April, in the Year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 236

ATTACHING THE NATIONAL FOOD SECURITY COUNCIL AND THE NATIONAL SECRETARIAT ON FOOD SECURITY TO THE DEPARTMENT OF AGRICULTURE, AMENDING FOR THE PURPOSE EXECUTIVE ORDER NO. 86, SERIES OF 1999

WHEREAS, Executive Order No. 86, series of 1999, constituted the National Food Security Council under the chairmanship of the President of the Philippines to act as the overall coordinating body in the formulation of policy guidelines and masterplans and programs, as well as in the implementation of projects that will ensure the attainment of the national vision, mission, goals, objectives and targets of a workable and sustainable Food Security Program;

WHEREAS, Section 2, Chapter I, Title IV, Book IV of the Administrative Code of 1987 mandates the Department of Agriculture to plan, formulate, execute, regulate, and monitor programs and activities relating to agriculture, food production and supply; and

WHEREAS, Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987 vests upon the President of the Philippines the continuing authority to reorganize his Office.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

Section 1. Attachment of the National Food Security Council and the National Secretariat on Food Security to the Department of Agriculture. The National Food Security Council, hereinafter referred to as the Council, and the National Secretariat on Food Security, hereinafter referred to as the Secretariat, shall now be attached to the Department of Agriculture to facilitate policy and program coordination and implementation.

Section 2. Secretary of Agriculture as Chairman of the Council. The Secretary of Agriculture shall serve as the Chairman of the Council. However, the composition of the Council as embodied in Section 2 of Executive Order No. 86, series of 1999, shall remain the same.

Section 3. Reconstitution of the Secretariat. The Secretary of Agriculture shall recommend to the President the reconstitution of the Secretariat.

Section 4. Funding. Funding for the operations of the Secretariat shall be included in the annual budget of the Department of Agriculture.

Section 5. Reporting Requirements. The Council shall submit quarterly reports to the President, through the Executive Secretary, copy furnished the Presidential Management Staff, on the status of its activities.

Section 6. Repealing Clause. All issuances, orders, rules and regulations, or parts thereof that are inconsistent with the provisions of this Order are hereby repealed or modified accordingly.

Section 7. Effectivity. This Executive Order shall take effect immediately.

DONE, in the City of Manila, on this 29th day of April, in the year of our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 237

**MODIFYING THE RATE OF IMPORT DUTY ON HOT ROLLED STEEL UNDER TARIFF
HEADING 72.08 OF THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, WHEN
IMPORTED BY USER-ENTERPRISES CERTIFIED UNDER R.A. 7103 OTHERWISE
KNOWN AS THE IRON AND STEEL INDUSTRY ACT**

WHEREAS, Section 401 of the Tariff and Customs Code of 1978, as amended, empowers the President to increase, reduce or remove existing rates of duty, as well as modify the tariff nomenclature;

WHEREAS, Section 6 of R.A. 7103 otherwise known as the Iron and Steel Industry Act provides that all enterprises certified by the Board of Investments in accordance with Section 5 thereof, shall be entitled to a rational tariff incentive and protection scheme, among other incentives;

WHEREAS, R.A. 7103 mandates the National Economic and Development Authority (NEDA) to recommend to the appropriate authority a rational tariff incentive and protection scheme that shall enhance the viability of the iron and steel industry, specifically tariff rates on imported raw materials. Specifically, tariff rated on imported raw materials not indigenously sourced or are not available in sufficient amounts or at the required grade or quality such as iron ore, coking coal, scrap and manganese ore shall be reviewed taking into consideration the requirements of the iron and steel industry;

WHEREAS, Upon the recommendation of NEDA invoking its prerogative provided under R.A. 7103, the NEDA Board Committee on Tariff and Related Matters (TRM) decided in its meeting of 24 September 1999 that qualified enterprises certified under the Act be entitled zero duty on their imports of hot rolled steel raw material falling under Tariff Heading 72.08;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order;

SECTION 1. The articles falling under Tariff Heading 72.08 of the Tariff and Customs Code of 1978, as amended, when imported by user-enterprises certified under R.A. 7103, shall be subject to zero duty.

SECTION 2. Articles falling under Tariff Heading 72.08 of the Tariff and Customs Code of 1978, as amended, when imported by user-enterprises certified by the Board of Investments as eligible for incentives under R.A. 7103, including a rational tariff incentive and protection scheme duly approved by the NEDA TRM Cabinet Committee and which are entered in or withdrawn from warehouses in the Philippines as of the date of the commencement of the actual commercial operations of said user-enterprises, as certified by the Board of Investments, for consumption shall be levied zero duty.

SECTION 3. All other Presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

SECTION 4. This Executive Order shall take effect immediately following its publication in two (2) newspapers of general circulation.

Done in the City of Manila, this 4th day of MAY, in the year of our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 238

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE PREFERENTIAL TARIFF RATES ON CERTAIN PRODUCTS UNDER THE ASEAN INDUSTRIAL COOPERATION (AICO) SCHEME

WHEREAS, the Philippines is a Contracting Party to the Basic Agreement on the ASEAN Industrial Cooperation (AICO) Scheme signed in Singapore on 27 April 1996;

WHEREAS, the AICO Scheme seeks to improve the competitive position of ASEAN Companies in the global and ASEAN markets by providing the means to apply the principles of economies of scale and scope in the manufacturing process, supported by preferential import duties to enhance cross ASEAN border transactions;

WHEREAS, the Philippines is a participating country in the approved AICO Scheme of Goya, Inc, along with Malaysia;

WHEREAS, under the Goya, Inc. AICO Arrangement, it was agreed that the Philippines (Goya, Inc.) will import printed polyethylene laminates, printed polypropylene laminates and printed vacuum metallized (aluminum coated) cast polypropylene and printed aluminum wrapper from Malaysia (Malaysia Packaging Industry Bhd.) as packaging materials for the manufacture of chocolate eclairs and chocolate confectionery. In exchange, Malaysia (Malaysia Packaging Industry Bhd.) will import chocolate eclairs and chocolate confectionery from the Philippines (Goya, Inc.);

WHEREAS, AICO Certificate of Eligibility No. Goya/2000/1 issued on 03 January 2000 in favor of the participating companies in the Goya, Inc. AICO Arrangement;

WHEREAS, in accordance with Articles 5 and 7 of the Basic Agreement of the AICO Scheme, participating companies in the approved Goya, Inc. AICO Arrangement shall qualify for 0-5% preferential tariff rates to be extended by the Philippines and Malaysia as participating countries, effective within 45 days from the date of issuance of the Certificate of Eligibility (COE) by the ASEAN Secretariat.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, pursuant to the powers vested in me under Section 402 of the Tariff and Customs Code of 1978, as amended, do hereby order:

SECTION 1. The articles specifically listed in Annex "A" hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded the AICO rate of 5% as specified in Column 4 thereof.

SECTION 2. The AICO rate provided in Annex "A" shall be accorded to the AICO entity in Malaysia (Malaysia Packaging Industry Bhd.) effective 03 January 2000.

SECTION 3. In the event that any subsequent changes are made in the basic (MFN) Philippine rate of duty on the articles listed in Annex "A" to a rate lower than the AICO rate prescribed in Column 4 thereof, such article shall automatically be accorded the corresponding reduced rate of duty. Effective 01 January 2003, the final CEPT rate on the subject article shall apply.

SECTION 4. Upon the effectivity of this Executive Order, the articles specifically listed in the aforesaid Annex “A” which are entered or withdrawn from warehouses in the Philippines for consumption shall pay the applicable AICO preferential tariff rates specified under Section 1 hereof, subject to qualification under the Rules of Origin for the CEPT, as evidenced by the Certificate of Origin - Form “D”.

SECTION 5. This Executive Order shall take effect immediately.

Done in the City of Manila, this 4th day of May, in the year of Our Lord, Two Thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 239

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE PREFERENTIAL TARIFF RATES ON CERTAIN PRODUCTS UNDER THE ASEAN INDUSTRIAL COOPERATION (AICO) SCHEME

WHEREAS, the Philippines is a Contracting Party to the Basic Agreement on the ASEAN Industrial Cooperation (AICO) Scheme signed in Singapore on 27 April 1996;

WHEREAS, the Philippines is a participating country in the approved AICO Arrangement of Ford Motor Company Philippines, Inc. and Laguna Autoparts Mfg., Corp. (LAMCOR), both along with Thailand;

WHEREAS, under the FORD AICO Arrangement, the Philippines (Ford Motor Co. Phils. Inc.) will import from Thailand certain original equipment manufacturer (OEM) automotive parts/components for FORD Laser LYNX passenger cars (HS 8703.90 10) and Ford Ranger Pick-ups (HS 8704.90 10). In exchange, Thailand will import from the Philippines complementary component parts for the OEM of FORD Laser LYNX passenger cars;

WHEREAS, under the LAMCOR AICO Arrangement, the Philippines (Laguna Autoparts Mfg. Corp.) will import from Thailand certain intermediate products for the assembly of OEM alternators and starters. In exchange, Thailand will import from the Philippines complementary component parts for alternators and starters;

WHEREAS, AICO Certificate of Eligibility Nos. Ford/2000/1 and MEL/2000/3 were both issued on 03 January 2000 in favor of the participating companies in the FORD and LAMCOR AICO Arrangements;

WHEREAS, in consonance with Articles 5 and 7 of the Basic Agreement of the AICO Scheme, participating companies in the approved FORD and LAMCOR AICO Arrangements shall qualify for 0-5% preferential tariff rates to be extended by Thailand and the Philippines as participating countries, effective within 45 days from the date of issuance of the Certificate of Eligibility by the ASEAN Secretariat.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, pursuant to the powers vested in me under Section 402 of the Tariff and Customs Code of 1978, as amended, do hereby order:

SECTION 1. The articles specifically listed in Annex "A", hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded the AICO rate of 5% on component parts of Laser LYNX passenger cars (HS 8703.90 10) and the AICO rate of 3% on component parts of Ranger Pick-ups (HS 8704.90 10) as specified in Column 6 thereof.

SECTION 2. The AICO rate provided in Annex "A", shall be accorded to the AICO entity in Thailand (Auto Alliance (Thailand) Company Limited) effective from 03 January 2000.

SECTION 3. The articles specifically listed in Annex "B" hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded the AICO rate of 3% on

vacuum pump assemblies (HS 8414.10 00), yoke assemblies, rotor assemblies (HS 8511.90 00), and rear and front brackets (HS 8511.90 00) as specified in Column 5 thereof.

SECTION 4. The AICO rate provided in Annex “B” shall be accorded to the AICO entity in Thailand (Mitsubishi Electric Thai Auto Parts Co. Ltd.) effective 03 January 2000.

SECTION 5. In the event that any subsequent changes are made in the basic (MFN) Philippine rate of duty on any of the articles listed in Annexes “A” and “B” to a rate lower than the AICO rate prescribed in Column 6 of Annex “A” and Column 5 of Annex “B”, such article shall automatically be accorded the corresponding reduced rate of duty. Effective 01 January 2003, the final CEPT rate on the subject articles shall apply.

SECTION 6. Upon the effectivity of this Executive Order, the articles specifically listed in the aforesaid Annexes “A” and “B” which are entered or withdrawn from warehouses in the Philippines for consumption shall pay the applicable AICO preferential tariff rates specified under Sections 1 and 3, hereof, subject to qualification under the Rules of Origin for the CEPT, as evidenced by the Certificate of Origin – Form “D”.

SECTION 7. Any revision/s to the part numbers appearing in the aforesaid Annexes shall be communicated immediately to the Bureau of Customs by the Board of Investments within five (5) days after receipt of the official copy of the revised part numbers from the ASEAN Secretariat.

SECTION 8. This Executive Order shall take effect immediately.

Done in the City of Manila, this 4th day of May, in the year of our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 240
FURTHER AMENDING EXECUTIVE ORDER NO. 249 DATED MAY 29, 1995 GRANTING
PERMANENT RESIDENT STATUS TO CERTAIN VIETNAMESE CITIZENS AND FILIPINO-
VIETNAMESE CHILDREN

WHEREAS, there is a need to extend the period given to the Bureau of Immigration within which to process the residency and citizenship papers of the individuals covered by Executive Order No. 249, Series of 1995.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

1. The period given to the Bureau of Immigration within which to process the residency and citizenship papers of the individuals covered by Executive Order No. 249 is hereby extended by six (6) months from the publication of this Order. The Secretary of Justice shall submit his report on the implementation of Executive Order No. 249 to the Office of the President within thirty (30) days from completion by the Bureau of Immigration of the processing of the papers.
2. This Order shall take effect immediately.

Done in the City of Manila, this 4th day of MAY, in the year of our Lord, Two Thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:
RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 241
AMENDING EXECUTIVE ORDER NO. 364 CREATING THE NATIONAL COMMISSION
ON SAVINGS

WHEREAS, sustainability of the economic growth relies on efforts to increase the country's productivity level, which in turn would lead to higher income and higher domestic saving rate;

WHEREAS, the need to increase domestic saving rate would enable the country to finance infrastructure and social development projects that would greatly enhance the country's capability for global competitiveness;

WHEREAS, to sustain economic progress and development and faster growth of the country, increasing capital formation through non-inflationary means, particularly savings in banks and other financial intermediaries, shall continue as government's priority initiatives;

WHEREAS, the country's drive to achieve higher domestic saving rate at par with other countries, consistent with sustained accelerated economic progress can be best achieved through collective efforts to all sectors of society and recognizing their role in savings and implementation of savings generation measures;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby amend Executive Order No. 364, series of 1996, and reconstitute the National Commission on Savings which shall take charge of promoting higher level of domestic savings and productivity and enhance capital formation on a sustainable and nationwide scale;

The Commission shall be composed of the following:

- | | |
|--|-------------|
| a. Secretary of Finance or his duly authorized representative | Chairman |
| b. Governor, Bangko Sentral ng Pilipinas or his duly authorized representative | Co-Chairman |
| c. Director General, National Economic and Development Authority or his duly authorized representative | Member |
| d. Secretary of Education, Culture and Sports or his duly authorized representative | Member |
| e. President of the Philippine Social Security Association | Member |
| f. Chairman, Capital Markets Development Council | Member |
| g. President, Bankers Association of the Philippines | Member |
| h. President, Philippine Life Insurance Association | Member |
| President, Investment Companies Association of the Philippines | Member |

2. The Commission shall prepare, recommend and implement savings policies and advocacy measures, savings oriented reforms and programs necessary to enhance the mobilization and generation of savings on a nationwide scale which shall include, but not be limited to:

-
- (a) inculcating and reinforcing the value of savings in all sectors of society;
 - (b) keeping the public informed regarding existing savings legislation, policies, programs and savings instruments offered by the country's financial system;
 - (c) strengthening the role of financial intermediaries in savings mobilization, such as banking, insurance, pre-need, mutual funds, and others;
 - (d) conducting periodic surveys and studies to assess the progress of savings mobilization program; and
 - (e) coordinating with government, private institutions and the legislative branch as well as business organizations to gain the necessary support for the enhancement of savings mobilization.

The Commission shall serve as a clearing house for the different recommendations that will arise from government and private institutions performing savings-related functions.

The Commission shall create working committees and any other special committees as the need arises. The composition of these committees will be designated by the Commission from government and private sectors.

4. The Commission is authorized to engage the services of qualified consultants to assist in the conduct of surveys, researches, studies and plans on savings enhancement and other similar activities for which specific expertise is needed. Likewise, the Commission may seek funding assistance from its members and international donor institutions.
5. The Commission is further authorized to call upon any department, bureau or instrumentality of the government, including government-owned and controlled corporations, for such assistance as may be needed in the discharge of its functions and responsibilities.
6. The annual budgetary requirements of the Commission for personal services, operating expenses and capital outlay shall be allocated in the annual General Appropriations Act under the Department of Finance. The positions of Executive Director, three (3) technical and (4) administrative staff are hereby created with compensation in accordance with the provision of Salary Standardization Law and shall act as Secretariat to the Commission, working committees and such other committees that may be created. Likewise, it shall be responsible for the day-to-day operations of the Commission
7. This order shall take effect immediately.

DONE in the City of Manila, this 12th day of May, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 242
HARMONIZING THE INSTITUTIONAL FRAMEWORK IN THE ADMINISTRATION
OF THE INTERNATIONAL CONVENTION ON THE STANDARD OF TRAINING,
CERTIFICATION AND WATCHKEEPING FOR SEAFARERS (STCW), 1978, AS AMENDED

WHEREAS, it is imperative for the Government to demonstrate that full and complete effect is given to the provisions of the Convention, as amended, in order that the Philippines shall be identified as a complying Party;

WHEREAS, the non-identification of the Philippines among the Parties that have given the Convention, as amended, full and complete effect will adversely affect the continued employment of Filipino seafarers on ocean-going vessels;

WHEREAS, it is necessary to clearly designate the agency that shall have responsibility for the administration of the Convention, as amended, in the light of the various laws, rules and regulations promulgated to give full and complete effect to the STCW Convention, as amended;

WHEREAS, it is essential to restate and clarify the authority of the Maritime Training Council over different government instrumentalities involved in the implementation of the 1995 amendments to the Convention and all matters pertaining thereto;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

Section 1. Agency Responsible for the Implementation of the 1978 STCW Convention, as Amended. Pursuant to Section 1 of Letter of Instructions No. 1404, the Maritime Training Council (MTC) shall be responsible in giving full and complete effect to the 1978 STCW Convention, as amended. As such, the Council shall:

- 1 ensure that all legal and administrative measures taken and provided by the concerned government agencies and instrumentalities are appropriate and compliant to the Convention, as amended;
2. ensure that the evaluation of the quality standards of the government instrumentalities involved in the administration of the certification system, training courses and programs, examination and assessment carried out by or under the authority of that government instrumentality concerned, including the qualification of Instructors and Assessors are conducted in accordance with paragraph 2 of Regulation I/8 of the Convention, as amended;
3. be responsible to other State Parties with respect to the Philippine compliance to the Convention, as amended, including compliance with Regulation I/10;
4. communicate to the International Maritime Organization (IMO) information required under Regulation I/7 of the Convention, as amended.

Section 2. The Executive Committee. The Executive Committee created under EO 149, series of 1999, shall continue to assist the Council in its policy-making task. It shall be headed by the

Maritime Industry Authority (MARINA) Administrator and whose members shall be representatives from the following: Commission of Higher Education (CHED), Philippine Overseas Employment Administration (POEA), Professional Regulations Commission (PRC), Philippine Coast Guard (PCG), Overseas Worker Welfare Administration (OWWA), Technical Education and Skills Development Authority (TESDA), Department of Health (DOH), National Telecommunication Commission (NATELCOM) and the Maritime Training Council (MTC) Secretariat. The representatives to the Executive Committee should have a rank not lower than Director II.

Section 3. Lead Agency. The Maritime Industry Authority (MARINA) shall remain to be the lead agency in the Council with regards to the implementation of the 1978 STCW Convention, as amended, and shall:

1. serve as central repository of information relative to Regulation I/9 of the Convention;
2. issue Certificate of Dispensation in accordance with Article VIII of the Convention;
3. enforce Regulation I/14 of the Convention;
4. perform such other functions as may be directed and delegated by the Maritime Training Council.

Section 4. Issuance of Certificates of Competency. The Professional Regulations Commission (PRC) shall, in accordance with the express provision of Republic Act No. 8544, issue the STCW Certificates of Competency and the corresponding endorsement certificate in accordance with the 1978 STCW Convention, as amended, for all marine deck and engineer officers. The Technical Education and Skills Development Authority (TESDA), shall by virtue of its mandate under RA 7796, issue the Certificates of Competency to ratings forming part of navigational and engineering watches.

Section 5. Institutional Framework. The Council shall prepare an institutional framework indicating the government agencies and their respective functions relative to the implementation of the 1978 STCW Convention, as amended.

Section 6. Additional Members to the Council. On account of the international obligation of the Philippine government vis-a-vis the STCW Convention, as amended, the Office of the President and the Department of Foreign Affairs shall be represented in the Council.

Section 7. Implementing Rules and Regulations. The Maritime Training Council shall amend its existing implementing rules and regulations to reflect the provisions of this Order.

Section 8. Fiscal and Administrative Support. To strengthen the fiscal, administrative and technical capabilities of the Council, the Department of Budget and Management shall assist in the provision of regular plantilla positions for the personnel requirements of the Secretariat.

Pursuant to LOI 1404, the Council shall continue to be provided funds from the Seafarer's Welfare Fund through the Overseas Workers Welfare Administration.

The members of the Maritime Training Council shall be entitled to an honoraria of P3,000.00 per meeting subject to the usual accounting rules and regulations.

Section 9. Report. The Maritime Training Council shall provide periodic reports to the President, through the Executive Secretary, on the status of the government's compliance with the Convention.

Section 10. Repealing Clause. Executive Order No. 396, Executive Order No. 93, Executive Order No. 104 and Executive Order No. 149 dated 30 January 1997, 12 April 1999, 27 May 1999 and 07 September 1999, respectively, and all other issuances, rules and regulations or parts thereof, inconsistent with the provisions of this Order, are hereby modified, amended and/or repealed accordingly.

Section 11. Effectivity. This Order shall take effect fifteen (15) days from the date of publication in a newspaper of general circulation.

Done in the City of Manila this 12th day of May, in the year of our Lord, two thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 243
CREATING AND RECONSTITUTING A PRESIDENTIAL TASK FORCE
ON TRANSPORTATION STRIKES AND/OR MASS ACTIONS

WHEREAS, in a Memorandum dated 26 May 1999, the President constituted the Task Force to take charge of the government's actions and responses for the projected transport strike in Metro Manila and to prepare a longer range plan for similar incidents in the future, taking note of the need to balance oil prices, transport rates, wage levels, and other economic and social factors;

WHEREAS, under the same Memorandum, the following were designated as Task Force members, namely: Secretaries of DOTC, DOE, DOLE and DTI, Chief PNP, Director-NCR, PNP, Chairman, LTFRB, Chief of Staff, AFP and Chairman of MMDA as Task Force's Head and the personal representative of the President;

WHEREAS, the Task Force was convened to address major incidents in Metro Manila including the transport strikes of May 27 and June 07, 1999, March 20, 2000 and the most recent March 30, 2000 as well as the two (2) mass actions of August 20 and September 21, 1999;

WHEREAS, there is a need to synchronize and harmonize the required actions and responses of the members of the Task Force and as there is also a need to include the other agencies, notably the DPWH and the PIA and other agencies, not earlier designated as members of the Task Force;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order and direct:

Section 1. An Inter-Agency Group is hereby created to be known as the Presidential Task Force on Transport Strike and Mass Action or TRASMA, to ensure a hierarchical level of responses/options to cover any contingency to cover transport strikes and/or mass actions within Metro Manila and its immediate environs taking note of the need to balance oil prices, transport rates, wage levels, and other economic and social factors.

Sec. 2. The Task Force shall be headed by the MMDA Chairman with the Secretaries of DILG, DOTC, DPWH, DECS, DOLE, DTI, the AFP Chief of Staff, the PNP Director-General, the LTFRB Chairman, the LTO Assistant Secretary, and the Commissioner on Higher Education, as members.

Sec. 3. The Task Force shall take charge of government actions and responses for transport strikes and similar incidents and further prepare a long range plan to prepare for similar incidents in the future, taking note of the need to balance transportation rates, wage levels, and other economic and social factors.

Sec. 4. An Inter-Agency Technical Working Group (TWG) is hereby created to provide technical assistance to the Task Force, chaired by the MMDA, consisting of the following members, namely: PMS, AFP, TMG, LTO, LTFRB, PIA and others as may be determined by the Task Force.

Sec. 5. The Office of the President shall allocate a budget of five million pesos (P5,000,000.00) from any of its available funds and said allocation shall be replenished in accordance with the government's general accounting principles and procedures.

Sec. 6. The Task Force shall issue the necessary implementing orders to carry out the provisions of this Executive Order.

Sec. 7. All previous issuances inconsistent with the provisions of this Executive Order shall be deemed revoked or amended accordingly.

Sec. 8. This Executive Order shall take effect immediately.

Done in the City of Manila, this 13th day of May, in the year of Our Lord, two thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 244
AMENDING EXECUTIVE ORDER NO. 512 (S. 1992) AS AMENDED,
PROVIDING FOR THE CREATION OF THE MINDANO ECONOMIC DEVELOPMENT
COUNCIL AND FOR OTHER PURPOSES

WHEREAS, Executive Order No. 512 (s. 1992) created the Mindanao Economic Development Council (MEDCo) to facilitate the accelerated economic growth and development of Mindanao through an integrated and wholistic approach;

WHEREAS, Section I of the same E.O. provides that the “MEDCo” shall be the umbrella organization of the RDCs in the four (4) administrative regions in Mindanao, namely: Western Mindanao (Region IX), Northern Mindanao (Region X), Southern Mindanao (Region XI), Central Mindanao (Region XII); and the Regional Planning and Development Board (RPDB) of the Autonomous Region in Muslim Mindanao (ARMM);

WHEREAS, MEDCo has insured the active participation of aforesaid RDCs, including RDC-Caraga, despite its non-inclusion in the official coverage of MEDCo being the newest region created through the issuance of Republic Act No. 7901 in February 1995;

WHEREAS, MEDCo has been heavily involved in the country’s participation in the Brunei Darussalam-Indonesia-Malaysia-Philippines – East ASEAN Growth Area (BIMP-EAGA) since 1994, with the MEDCo Secretariat acting as the country’s Coordinating Secretariat for BIMP-EAGA activities;

WHEREAS, in view of the increasing Philippine participation in the development of the BIMP-EAGA and the compounding concerns of the various agencies involved in the implementation of its various projects, there is a need to officially include BIMP-EAGA concerns as part of the mandate of the MEDCo by designating the latter as the official coordinating agency on matters relevant to BIMP-EAGA;

WHEREAS, in view of the thrust of the present administration for Mindanao’s role in the overall development of the country, there is a need to rationalize the operation of MEDCo to increase its efficiency to become more responsive to the requirements of Mindanao;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby amend Executive Order 512, as amended:

SECTION 1. Section 1 of Executive Order No. 512 dated 19 March 1992 is hereby amended to read as follows:

“Section 1. *Creation of the Mindanao Economic Development Council.* There is hereby created a Mindanao Economic Development Council, hereinafter referred to as the Council, which shall promote and coordinate the active and extensive participation of all sectors to effect the socio-economic development of Mindanao. The Council shall primarily be an umbrella organization of the Regional Development Councils (RDCs) in the *five* (5) administrative regions in Mindanao, namely: Western Mindanao (Region IX), Northern

Mindanao (Region X), Southern Mindanao (Region XI), Central Mindanao (Region XII), *Caraga Region (Region XIII)*, and the Regional Planning and Development Board (RPDB) of the Autonomous Region in Muslim Mindanao (ARMM).”

“SECTION 2. Section 3 of the same E.O. is hereby amended to read as follows:

“Section 3. *Regular Functions of the Council.* – The Council shall have the following *regular* functions:

- a. Formulate development plans for the agricultural and industrial development of Mindanao as a single integrated economy;
- b. Coordinate the integration of the Regional Development Plans of the regions involved in the Mindanao Development Plan;
- c. Cause the preparation of feasibility studies and explore sources for financing of priority programs and projects, whether governmental or private, that will support and encourage Mindanao-wide economic and social development, such as Mindanao Power Corporation, regional commercial banks, Mindanao railroad system, petroleum refinery, skills and values promotion, and accelerated reforestation;
- d. Integrate, prioritize and program interregional programs and projects and submit the same for approval by the Board of the National Economic and Development Authority, whenever the Council deems that such programs and projects would affect substantially the integrated development of Mindanao. The NEDA Board shall expeditiously act on such programs and projects submitted by the Council within a reasonable period;
- e. Advocate to the constituents of Mindanao, their elected representatives in Congress, and the National Government, national policies that will foster the integrated and balanced development of Mindanao, in such policy areas as banking; investment and lending by the Government Service Insurance System and Social Security System and other government financing institutions; transport and telecommunications; infrastructure; export of agricultural products; reforestation; education and skills training;
- f. Act as the implementing agency for the accomplishment of interregional projects, subject to such limitations prescribed by existing laws, rules and regulations;
- g. Promote investments in any field, which would enhance the socio-economic development of Mindanao and uplift the living standards of the people and their socio-political activities;
- h. Provide the machinery for extending the necessary planning, management and technical assistance to prospective and existing investors in Mindanao;
Receive and administer donations, contributions, grants, bequest or gifts in cash or in kind from foreign governments, international agencies, private entities, and other sources for purposes that would contribute to the development of Mindanao, subject to existing laws, rules and regulations; and,
Monitor, evaluate and formulate recommendations on the implementation of development plans and programs in Mindanao.

The Council shall submit to the President, through the NEDA Board, quarterly reports on its accomplishments and activities.”

SECTION 3. The new Section 4 of the same E.O. will contain the Special Functions of the Council, to read as follows:

“Section 4. Special Functions of the Council. - The Council shall have the following special functions:

- a. Act as the official and permanent Philippine Coordinating Office (PCO) for BIMP-EAGA and as lead agency of the government in coordinating the formulation and implementation of policies and programs and monitoring of all activities related thereto;*
- b. Represent and strengthen the participation of the Philippine focus areas for BIMP-EAGA, specifically Mindanao and Palawan;*
- c. Establish the Advisory Body on BIMP-EAGA headed by the Council Chairman as the Philippine Senior Official to the BIMP-EAGA, and shall be composed of the following:*
 - i. The Chairman of the aforementioned RDCs and RPDB of ARMM;*
 - ii. City Mayor of Puerto Princesa;*
 - iii. Provincial Governor of Palawan;*
 - iv. One representative of the Puerto Princesa Chamber of Commerce;*
 - v. One NGO representative each from Palawan and Mindanao to be nominated by the council;*
 - vi. Two (2) nominees from the Philippine Chamber of commerce and Industry; and,*
 - vii. Mindanao Business Council (MBC) Chairperson.*

The Advisory Body on BIMP-EAGA shall convene, from time to time, to discuss issues and recommend policies and programs to ensure the widest participation in the activities of the Philippines the BIMP-EAGA.

The Advisory body will make recommendations to the Council Chairman in his capacity as head of the PCO for the BIMP-EAGA. The PCO, in consultation with the Advisory body, will draw up its own procedures for making recommendations, finalizing decisions, and seeing to their implementation.

- d. In line with the Council’s function as the Philippine Coordinating Office for BIMP-EAGA, it shall carry out the following functions:*
 - i. Serve as the Coordinating Office for all BIMP-EAGA related activities and economic ties;*
 - ii. Closely coordinate with the private sector in all policy deliberations concerning BIMP-EAGA;*
 - iii. Act as a data bank for BIMP-EAGA and other related data by collecting, consolidating and processing data and analyzing the resulting information and thereafter disseminating the information gathered to various groups;*
 - iv. Initiate and coordinate the establishment of BIMP-EAGA desks in concerned national agencies, local government units and private enterprises;*
 - v. Undertake advocacy for the adoption/approval of new policies or policy changes and the promotion of initiatives for the growth of the BIMP-EAGA;*

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- vi. Formulate and develop new plans and/or programs for the Philippine participation in the BIMP-EAGA based on the consensus of the BIMP-EAGA Working Groups and/or Senior Officials;*
 - vii. Initiate and facilitate sourcing of technical and other forms of assistance to BIMP-EAGA projects/initiatives ;*
 - viii. Monitor developments in the BIMP-EAGA and follow-through agreements entered by the Philippine parties ;*
 - ix. Ensure efficient and effective technical and administrative support services for the Philippines' BIMP-EAGA operations and coordinate budget requirements for this purpose; and,*
 - x. Discharge other functions which may be deemed necessary."*

SECTION 4. Section 4 of the same E.O. as amended by E.O. 10 dated 13 August 1998, shall now become Section 5, and is hereby further amended as follows:

"Section 5. Officers of the Council. The Council shall have a chairman and Vice-Chairman to be appointed by the President. The Council Chairman shall likewise be the Philippine Senior Official to BIMP-EAGA. The Council shall also have a Council Secretary to be appointed by the Chairman."

SECTION 5. Section 5 of the same E.O. shall now become Section 6.

SECTION 6. Section 6 of the same E.O. shall be deleted.

SECTION 7. The new Section 7 of the same E.O. shall now read as follows:

"Section 7. The Council Secretariat. There shall be a Secretariat to provide technical support to the Council's operations. The Council Secretary who shall be the concurrent Executive Director shall head the Secretariat."

SECTION 8. Section 7 of the same E.O. shall now become Section 8.

SECTION 9. The new Section 9 of the same E.O. shall read as follows:

"Section 9. Exemption from Administrative Order 100. - In view of the additional special functions vested to the Council in this Order, The Council is hereby exempted from the implementation of Administrative Order No. 100 dated 01 December 1999 'Directing The Suspension Of The Hiring Of New Personnel For Purposes Of Generating The Additional Funds For The Implementation Of The 10% Across-The-Board Salary Increase For Fiscal Year 2000'."

SECTION 10. Section 8 of the same E.O. shall now become Section 10.

SECTION 11. **Repealing Clause.** All orders, issuances, rules and regulations and other issuances or parts thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 12. **Effectivity.** This Order shall take effect immediately.

DONE, IN THE City of Manila, this 15th day of May, in the year of Our Lord, Two Thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

(Sgd.) **RONALDO B. ZAMORA**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 245
AMENDING EXECUTIVE ORDER NO. 7 (S. 1998)

WHEREAS, Executive Order No. 7 (s. 1998) created the PARECO System in order to allow greater coordination and more efficient administration;

WHEREAS, there is a need to rationalize the operations of the PARECO System to enhance its coherence and responsiveness to the development objectives of the government;

NOW, THEREFORE, I JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me, do hereby amend Executive Order No. 7 (s. 1998), as follows:

SECTION 1. Sections 1, 3, 4, 5, 6 and 8 are hereby amended to read as follows:

“Section 1. **Creation** – There is hereby created the Presidential Assistant for Regional Concerns (PARECO) System. For this purpose, a Presidential Assistant (PA) shall be appointed, as the representative of the Office of the President, in the following areas:

1. **Northern Luzon** – The provinces of Ilocos Norte, Ilocos Sur, La Union, Pangasinan, Batanes, Cagayan, Isabela, Nueva Viscaya, Quirino, Bataan, Bulacan, Nueva Ecija, Pampanga, Tarlac, Zambales, and the cities of Laoag, San Fernando, Dagupan, San Carlos, Urdaneta, Santiago, Cabanatuan, Palayan, San Jose, Angeles, and Olongapo.
2. **South Luzon** – The provinces of Aurora, Batangas, Laguna, Quezon, Marinduque, Occidental Mindoro, Oriental Mindoro, Palawan, Romblon, Albay, Camarines Norte, Camarines Sur, Masbate, Sorsogon, and the cities of Batangas, Lipa, San Pablo, Lucena, Puerto Prinsesa, Legaspi, Iriga, and Naga.
3. **Eastern Visayas** – The provinces of Biliran, Eastern Samar, Leyte, Northern Samar, Western Samar, Southern Leyte and the cities of Ormoc, Tacloban, and Calbayog.
4. **Central Visayas** – The provinces of Bohol, Cebu, Negros Oriental, Siquijor, and the cities of Tagbilaran, Cebu, Danao, Lapu-lapu, Mandaue, Toledo, Bais, Canlaon, and Dumaguete.
5. **Western Visayas** – The provinces of Aklan, Antique, Capiz, Iloilo, Negros Occidental, Guimaras, and the cities of Roxas, Iloilo, Passi, Bacolod, Bago, Victorias, Cadiz, La Carlota, San Carlos, Silay, Sagay, Kabankalan, and Talisay.
6. **North Mindanao** – The provinces of Agusan del Norte, Agusan del Sur, Bukidnon, Camiguin, Misamis Oriental, Surigao del Norte, Surigao del Sur, and the cities of Butuan, Cagayan de Oro, Gingoog, Surigao, Malaybalay, Marawi, and Iligan.

7. West Mindanao – The provinces of Basilan, Misamis Occidental, Lanao del Norte, Zamboanga del Norte, Zamboanga del Sur, and the cities of Dapitan, Dipolog, Oroqueta, Ozamis, Pagadian, Tangub, and Zamboanga.
8. South Mindanao – The provinces of Cotabato, Sultan Kudarat, South Cotabato, Davao del Norte, Davao del Sur, Davao Oriental, Compostella Valley, Sarangani, and the cities of Cotabato, General Santos, Davao, Kidapawan, Tagum, and Samal.

The regional governor of the Autonomous Region of Muslim Mindanao (ARMM), the Executive Director of the Cordillera Executive Board (CEB) and the Chairman of the Metro Manila Development Authority (MMDA) shall continue to serve as liaison of the Office of the President in their respective areas consistent with their mandate, as provided by law.”

“Sec. 3. **Functions, Powers and Responsibilities of the PARECOs.** The PARECOs shall have the following functions, powers and responsibilities:

1. Monitor the planning and implementation of critical development programs and projects in their areas of responsibility. They shall anticipate, and where necessary, step in to resolve problems which may arise in the planning or implementation of critical development programs and projects. They may call upon government agencies, and coordinate with local government units (LGUs) to undertake actions deemed necessary to attain the development objectives of the area;
2. Provide assistance especially on matters requiring the preferential attention of the Office of the President (OP) and of other national government agencies;
3. Report regularly to the Office of the President on the status of development programs and projects, and recommend courses of action that the national government may take to facilitate development efforts in their respective areas;
4. Provide assistance to the Office of the President-Special Operations Group (OP-SOG) in the preparation and conduct of local presidential visits. For this purpose, the Office of the Executive Secretary (OES) shall represent the PARECOs in the OP-SOG;
5. Conduct regional monthly meetings to be presided over by the Executive Secretary. Concerned members of the cabinet may be invited to address priority issues and concerns in the host region;
6. Perform such other functions and duties that the President and/or the Executive Secretary may assign from time to time.

“Sec. 4. **Rank and Emoluments of the PARECOs.** Each of the Presidential Assistant for Regional Concerns shall have the rank and emolument of an Undersecretary (Presidential Assistant 1).

“Sec. 5. **Operating Principles.** – The PARECO System shall not be another layer in the bureaucracy and shall not duplicate the regular functions of government agencies, LGUs or existing regional bodies, councils and commissions. They shall, however, be designated as members of the regional bodies existing

in their areas of responsibility: Provided, however, That no PARECO shall be appointed or elected as Chairman of the Regional Development Councils (RDCs).

“The PARECOs shall be under the administrative control and supervision of the Executive Secretary.

“Sec. 6. **Technical and Administrative Support.** The PARECOs may hold office at the regional office of the National Economic Development Authority (NEDA) or any other office deemed appropriate. Each PARECO office shall be provided with adequate technical and administrative staff based on the size and geographical configuration of its area of responsibility.

There shall be a PARECO national secretariat headed by the Chief of Staff of the Office of the Executive Secretary. In addition, the PARECOs may request government agencies, government corporations and LGUs in their respective areas for technical and administrative assistance.

Existing vehicles, office equipment and materials acquired by the OP extension offices shall be distributed equitably among all PARECO offices.”

“Section 8. **Implementing Guidelines** – The PARECOs shall adopt such implementing guidelines as may be necessary to implement this Executive Order.”

SECTION 2. All orders, rules and regulations and other issuances, or parts thereof, which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 3. This order takes effect retroactively on 10 August 1999.

Done in the city of Manila, this 15th day of May, in the Year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: Presidential Management Staff

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 246

AMENDING EXECUTIVE ORDER NO. 226 PROVIDING FOR THE ADJUSTMENT
IN THE DIVIDEND RATE OF THE DEVELOPMENT BANK OF THE PHILIPPINES
ON ITS 1999 EARNINGS PURSUANT TO SECTION 5 OF REPUBLIC ACT NO. 7656

WHEREAS, Section 1 of Republic Act (RA) No. 7656 provides that:

“Section 1. Declaration of Policy. It is hereby declared policy of the State that in order for National Government to realize additional revenues, government-owned and/or controlled corporations without impairing their viability and the purposes for which they have been established shall share a substantial amount of their net earnings to the National Government.”

WHEREAS, Section 5 of RA 7656 provides that:

“Section 5. Flexible Clause. In the interest of national economy and general welfare, the percentage of annual net earnings that shall be declared by a government-owned and/or controlled corporation may be adjusted by the President of the Philippines upon recommendation by the Secretary of Finance.”

WHEREAS, Pursuant to Section 5 of RA 7656, the Secretary of Finance recommended the adjustment on the percentage of the annual net earnings that shall be declared by the DBP in the interest of national economy and general welfare;

WHEREAS, Executive Order No. 226 was issued on 03 April 2000 providing for the adjustment in DBP's dividend rate from at least fifty percent (50%) to ten percent (10%) of its 1999 net earnings;

WHEREAS, in order to meet the revenue target of the National Government, there is a need for DBP to remit additional dividend to the Bureau of the Treasury.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The percentage of net earnings to be declared and remitted by DBP as dividends to the National Government as provided in Executive Order No. 226 is adjusted from 10% to 13% provided that such remittance should not be lower than P233 M.

SEC. 2. The adjusted dividend rate provided for under Section 1 is only applicable on 1999 net earnings of the DBP.

SEC. 3. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 20th day of May, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 247

**SUPPLEMENTING EXECUTIVE ORDER NO. 191 ON THE DEACTIVATION OF THE
ECONOMIC INTELLIGENCE AND INVESTIGATION BUREAU AND FOR OTHER MATTERS**

WHEREAS, Executive Order No. 191, series of 2000, directs the deactivation of the Economic Intelligence and Investigation Bureau (EIIB), including the termination or integration of its employees, the transfer of its assets and the performance of its functions by other agencies, due to redundancy and duplication of functions;

WHEREAS, Republic Act No. 8760 appropriated P44,922,000.00 for the specific purpose of winding up the activities and operations of the EIIB;

WHEREAS, Republic Act No. 6656 recognizes the need to protect the security of tenure of civil service officers and employees in the reorganization process without sacrificing the promotion of morale, efficiency, integrity, responsiveness, progressiveness, and courtesy in the civil service pursuant to Article IX, B, Section 3 of the Constitution;

WHEREAS, there is a need to maintain and coordinate certain economic intelligence operations in the Department of Finance (DOF) and its attached bureaus and agencies;

WHEREAS, the deactivation of EIIB and the final disposition of its personnel, assets, and liabilities require inter-agency coordination;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Creation of Task Force. There is hereby created a special Task Force, to be headed by the Executive Secretary, with the Secretary of Finance, the Secretary of Budget and Management and the Secretary of Justice as members, that shall provide policy guidelines for the implementation of this executive order. The implementing details for these guidelines shall be prepared and issued by the Secretary of Finance.

Sec. 2. Transfer or Re-Employment of EIIB Personnel. EIIB personnel shall be given priority in hiring for existing vacant positions in other government agencies, subject to compliance with established qualification standards set by the receiving agencies. The transfer to or re-employment of EIIB personnel with other agencies shall be exempt from the prohibition on new hiring under Administrative Order No. 100 dated 01 December 1999. All accrued leave credits of EIIB personnel shall be paid within reasonable time but subject to the availability of funds.

Sec. 3. Separation or Retirement of EIIB Personnel. All EIIB personnel shall be deemed separated from the service effective 30 April 2000, pursuant to a *bona fide* reorganization resulting to abolition, redundancy, merger, division, or consolidation of positions in order to meet the exigencies of the service. EIIB personnel qualified for retirement may elect optional retirement as they may deem proper. All benefits, including payment of accrued leave credits, that may lawfully be given to EIIB employees by virtue of their transfer, retirement or separation from service shall be paid within reasonable time but subject to the availability of funds.

Sec. 4. Performance of Functions by Other Agencies. Law enforcement and intelligence functions previously performed by EIIB that relate to other agencies, such as the National Bureau of Investigation (NBI), Bangko Sentral ng Pilipinas (BSP) and the Department of Environment and Natural Resources (DENR), shall be transferred to or performed by the appropriate agency; Provided, that, the anti-smuggling activities shall remain with the Presidential Anti-Smuggling Task Force “Aduana”, unless otherwise ordered by the President.

Sec. 5. Transfer of Assets and Liabilities. All assets and liabilities of EIIB, including but not limited to the prosecution and defense of pending cases and seized goods, are hereby transferred without cost to the DOF pending appropriate, final disposition.

Sec. 6. Extension of Period. The special Task Force, in coordination with other concerned agencies, is hereby given until 30 June 2000 within which to fully implement the deactivation of EIIB. The special Task Force shall be assisted by a skeletal force for the task of winding-up EIIB operations and the safekeeping of its resources. Unless otherwise transferred to other agencies, members of the skeletal force will be deemed separated from the service due to abolition of position pursuant to reorganization effective 30 June 2000.

Sec. 7. Support of Other Agencies. The Task Force may request assistance from the Civil Service Commission and the Commission on Audit and such other agencies as may be necessary to assist in the smooth implementation of this Order.

Sec. 8. Funding Requirements. Funds for existing vacant positions in other agencies to be filled up by EIIB personnel, positions to be transferred to other agencies, for the extension until 30 April 2000, and for the skeletal force shall be sourced from agency savings or, upon request, augmented by the Department of Budget and Management (DBM). The DBM shall give preference to the payment of accrued leave credits, separation and retirement benefits to EIIB personnel from the Miscellaneous Personnel Benefits Fund. It shall also augment the DOF budget to service amortization payments and maintenance expenses for the EIIB building/s and other capital assets.

Sec. 9. Separability Clause. Any portion or provision of this Executive Order that may be declared unconstitutional shall not have the effect of nullifying other portions or provisions of the Order for as long as such remaining portions can still subsist and be given effect.

Sec. 10. Repealing Clause. All executive orders, rules, regulations and other issuances or parts thereof which are inconsistent with the provisions of this Executive Order are hereby revoked or modified accordingly.

Sec. 11. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 20th day of May, in the year of Our Lord, two thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 248
PROVIDING FOR THE ACTIVATION OF THE CENTRAL EAST ASIA GROWTH CIRCLE
PROGRAM AS AN ECONOMIC INITIATIVE AND FOR OTHER PURPOSES

WHEREAS, the Government recognizes the global trend where different economies are liberalizing economic relations in trade and investment and the resulting need for the economies' products and services to be globally competitive;

WHEREAS, different economies have adopted the strategy of forming sub-regional economic cooperation blocs to strengthen their respective economies such as the Brunei-Indonesia-Malaysia-Philippines (Mindanao) - East Asia Growth Area (BIMP-EAGA);

WHEREAS, the economies across the South China Sea, to the west and to the north of the Philippines, such as China, Hong Kong, Macau, Taiwan, Japan and South Korea, together with the Philippines, comprise the economic heartland of Asia, where Japan, South Korea, Hong Kong and Taiwan are economies rich in capital and advanced technology, where China is a huge market and where the Philippines is rich in minerals, raw materials, natural and human resources;

WHEREAS, these economic complementarities can be harnessed through the formation or activation of an economic cooperation bloc which will convert the sub-region into an economic powerhouse and provide significant economic benefits to the member economies;

WHEREAS, the aim of this concept is to increase trade and investments through an improved business climate, with the ultimate target of creating new jobs and livelihood opportunities for the ordinary Filipino in the sub-region;

WHEREAS, the national government has taken the initial steps in making the country, specifically the four (4) administrative regions North of the National Capital Region, hereinafter referred to as North Philippines namely: Regions 1, 2, 3 and the Cordillera Administrative Region, ready to meet the challenges of a globally competitive environment through economic integration;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. THE CREATION OF THE CENTRAL EAST ASIA GROWTH CIRCLE PROGRAM. There is hereby created under the Office of the President, a program which is initially to be called the Central East Asia Growth Circle and hereinafter called the CEA-GC, and which shall promote and encourage the active and extensive cooperation of the economies in the said sub-region.

SECTION 2. IMPLEMENTATION STRATEGY. The CEA-GC program shall be implemented by adopting a strategy of phased progression in establishing economic cooperation with focus areas within the Growth Circle, where initial bilateral arrangements may be established, and eventually resulting in a multilateral economic cooperation agreement among the member economies.

SECTION 3. PRESIDENTIAL ACTION OFFICER FOR CEA-GC. The President shall appoint a Presidential Action Officer for the Central East Asia Growth Circle Program (PAO-CEAGC) with the rank of undersecretary, and with the following duties and functions:

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- a) Promote foreign investments, trade and tourism activities in North Philippines which would enhance socio-economic development in the area with focus on but not limited to developing linkages with economies in the Central East Asia Growth Circle;
 - b) Coordinate the related activities of concerned departments, Regional Development Councils and specialized government development agencies in North Philippines, and ensure their active but coordinated participation in the program;
 - c) Mobilize private sector participation in all activities of the program;
 - d) Cause the preparation of economic and feasibility studies, and explore sources of financing of priority programs and projects, whether governmental or private that will support and encourage the active participation of the North Philippines' integrated economy in the program;
 - e) Advocate to the constituents of North Philippines, their elected local executives and representatives in Congress and the National Government, national policies which will foster the active participation of North Philippines, in such policy areas as banking, investment and lending by financial institution, transport and telecommunication, infrastructure, export of agriculture and other products, tourism, environment, reforestation, education, science and technology and human resource development;
 - f) Negotiate for source of funds to include Official Development Assistance on a bilateral or multilateral basis in accordance with existing laws, rules and regulations;
 - g) Provide the mechanisms for extending the necessary planning, management and technical assistance to prospective and existing investors in North Philippines;
 - h) Receive and administer donations, contributions, grants, bequests or gifts in cash or in kind from participating and non-participating economies, international agencies, private entities, that will contribute to the development of North Philippines, subject to existing laws, rules and regulations;
 - i) As the Presidential Action Officer for CEA-GC, he shall exercise administrative and technical supervision over the Program;
 - j) Appoint the officers and staff of the CEA-GC Program Secretariat, and ensure that it performs its functions and achieves the Program's objectives;
 - k) The PAO-CEAGC shall submit to the President, quarterly reports on its accomplishments and activities.

SECTION 4. THE ADVISORY COUNCIL. The PAO-CEAGC shall have an Advisory Council, which shall have the following functions:

- a) To advise the PAO-CEAGC on the different aspects of the program;
- b) To ensure that the goals and policies of the PAO-CEAGC are consistent with the overall national development goals and policies;
- c) To ensure that programs of PAO-CEAGC are consistent with regional and local development plans and programs.

SECTION 5. THE MEMBERS OF THE ADVISORY COUNCIL. The Advisory Council shall be composed of the following:

- a) The Executive Secretary as Chairman;
 - b) Secretary, Department of Trade and Industry as Vice-Chairman;
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- c) Secretary, Department of Foreign Affairs;
 - d) Secretary, Socio-Economic Planning;
 - e) Secretary, Department of Tourism;
 - f) Secretary, Department of Transportation and Communication;
 - g) Secretary, Department of Agriculture;
 - h) Secretary, Department of Environment and Natural Resources;
 - i) Secretary, Department of Public Works and Highways;
 - j) The Presidential Assistant for North Luzon;
 - k) The Presidential Assistant for Development Administration;
 - l) The Chairman of the Regional Development Councils or similar bodies of the aforementioned Regions;
 - m) A representative from the Philippine Chamber of Commerce and Industry;
 - n) Two private sector representatives from each region of North Philippines chosen by and from among the private sector representatives of the concerned Regional Development Councils;
 - o) One Congressional Representative from each region of North Philippines who shall be chosen by and from among the Congressional Representatives in the region;
 - p) One Governor from each region of North Philippines who shall be chosen by and from among the Governors in the region;
 - q) One City Mayor chosen by and from among the City Mayors of North Philippines;
 - r) The Administrator or equivalent official of all government corporations, commissions, development authorities and like organizations based in the four regions such as, but not limited to, the following:

North Luzon Growth Commission, Presidential Commission for the Central Luzon Growth Corridor, Cagayan Special Economic Zone Authority, Banawe Rice Terraces Task Force, Lingayen Gulf Commission, Vigan Heritage Commission, Philippine Economic Zone Authority, Agno River Basin Development Commission, Subic Bay Metropolitan Authority, Clark Development Corporation, John Hay-Poro Point Development Corporation.

The composition of the Advisory Council may be expanded when necessary.

SECTION 6. THE TECHNICAL SUPPORT STAFF OF THE PAO-CEAGC. A Program Office for the CEAGC shall be constituted to assist the PAO-CEAGC in implementing the program. It shall be headed by a Program Director to be appointed by the President upon the recommendation of the PAO-CEAGC. Additional technical and administrative staff from the National Economic and Development Authority, Department of Trade and Industry, Department of Foreign Affairs, Department of Tourism and other government agencies and institutions may also be detailed or seconded to the Program Office as necessary.

SECTION 7. ROLE OF NATIONAL LINE AGENCIES, LOCAL GOVERNMENT UNITS, GOVERNMENT OWNED AND CONTROLLED CORPORATIONS, NON-GOVERNMENT ORGANIZATIONS. Concerned national line agencies in the regions, local government units, development authorities and special economic zones and project offices, government owned and controlled corporations, non-government organizations / the private sector, shall, as appropriate, serve as implementing entities of activities related to the CEAGC program. These related activities are inclusive of, but not limited to, the organization of: trade/investment/tourism fairs and missions, business conventions and forums, technical working group meetings, senior officials' meetings, among others.

SECTION 8. FUNDING. The Department of Budget and Management is hereby directed to release from the Presidential Contingent Fund or the Organizational Adjustment Fund, an initial lump sum funding of P18,000,000.00 for the organization, and the administrative and internal operational requirements of the Presidential Action Office-CEAGC, for the period September to December 1999. The additional budget for the year 2000 shall be sourced from the Presidential Contingent Fund or any other fund within the Office of the President. Thereafter, the appropriations for the continued operations of the PAO-CEAGC shall be included in the annual general appropriations bill submitted to congress.

SECTION 9. IMPLEMENTING AUTHORITY. The PAO-CEAGC is hereby authorized to promulgate the necessary rules and regulations to implement this Executive Order.

SECTION 10. EFFECTIVITY. This Executive Order shall take effect immediately. Provisions of existing Executive Orders, rules and regulations inconsistent with this Executive Order are hereby superseded by this issuance.

DONE in the City of Manila, this 11th day of MAY, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 249
ESTABLISHING THE PRESIDENTIAL AWARDS FOR BEST PERFORMER
LOCAL GOVERNMENT UNITS AGAINST ILLEGAL DRUGS

WHEREAS, the proliferation and use of illegal drugs hamper overall efforts aimed at promoting productive family life, community peace and harmony and, ultimately, nation building and national development;

WHEREAS, demand for prohibited drugs continues unabated due to existing insufficiency in public information, awareness, education and treatment of drug dependents;

WHEREAS, LGUs as mandated by law must ensure the promotion of health and safety, improvement of public morals, maintenance of peace and order and the preservation of comfort and convenience of their inhabitants;

WHEREAS, the institutionalization of a system of providing incentives and rewards is designed to propel local officials and their constituents to perform better and achieve a tradition of work excellence for a drug-free society;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Establishing the Awards. There is hereby established the annual Presidential Award for Best Performer Local Government Units against Illegal Drugs.

SEC. 2. Categories of Awards The following categories of Presidential Awards are hereby created:

- a. Best Performer City of the Philippines
- b. Best Performer Municipality of the Philippines
- c. Best Performer Barangay of the Philippines

SEC. 3. Composition of the Awards Committees. The Peace and Order Council Awards Committees organized at the national and sub-national levels shall administer and implement this Presidential Award.

The National Drug Law Enforcement and Prevention Coordinating Center, the Department of the Interior and Local Government and the Regional and Local Anti-Drug Abuse Councils, as the case may be, shall provide secretariat support to the committees.

SEC. 4. Functions of the National Awards Committee National Awards Committee shall have the following functions.

- a. Initiate and coordinate necessary activities for the successful implementation of the Award;
- b. Set guidelines/criteria as for the selection of a performer cities, municipalities, and barangays;

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- c. Select the national judges who shall come from the private business/industry sector, non-government organizations and the government, and set broad guidelines for the selection of provincial judges.
 - d. Secure funding from, and the counterpart prizes of, the private sector;
 - e. Determine the functions of sub-national awards committees; and
 - f. Report to the President and give appropriate recommendations on the implementation of the contest.

SEC. 5. Selection of Awardees. The parameters to be used in selecting the Presidential Awardees shall be determined by the National Awards Committee.

SEC. 6. Funding. For the initial year of the search, an initial amount of Ten Million Pesos (P10,000,000.00) shall be provided by the President's Social Fund.

SEC. 7. Awards and Prizes. The Presidential Awards shall be conferred to each national awardee as indicated in Section 1 hereof, through the local chief executive concerned, in the form of a Trophy and a Cash prize of not less than One Million Pesos (P1,000,000.00) for advocacy program, maintenance of rehabilitation/testing centers, mobility funds, intelligence, personal services of local officials and personnel involved in the campaign against illegal drugs, to be sourced from President's Social Fund.

Likewise, each of the national finalists representing the regional winners for the four (4) categories shall be conferred a Presidential Plaque of Commendation.

SEC. 8. Design Specifications. The National Historical Institute shall prescribe design specifications of the Presidential Trophy and Presidential Plaque of Commendation.

SEC. 9. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 24th day of May, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 250
AMENDING SECTION 1 OF EXECUTIVE ORDER NO. 189 DATED DECEMBER 21, 1999,
ENTITLED, DIRECTING ALL LOCAL GOVERNMENT UNITS TO SUBMIT
TO THE DEPARTMENT OF BUDGET AND MANAGEMENT
THEIR RESPECTIVE ANNUAL INVESTMENT PLANS

WHEREAS, the incidence of illegal drug trafficking, drug abuse and drug-related heinous crimes has grown to such alarming proportions and has become a threat to national security;

WHEREAS, it has been reported that about 6,000 barangays nationwide are drug-affected;

WHEREAS, cognizant of the damaging effects of illegal drugs to family life, community peace and harmony, and development, the national government, in collaboration with concerned sectors of society, has conducted various fora to accentuate on the dangers of illegal drugs and on what should be done to address this social ill; and

WHEREAS, during the National Anti-Illegal Drug Forum held last February 14, 2000 at the Philippine International Convention Center, it was underscored that efforts to address the illegal drug problem are better assured of success in an environment of meaningful collaboration between the national and local governments, in cooperation with concerned private sector groups and with the community in general.

NOW THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby amend Section 1 of Executive Order No. 189, s. 1999 such that no less than Five Percent (5%) of the Twenty Percent (20%) Development Fund component of the Internal Revenue Allotment shall be appropriated for anti-illegal drug activities at the local level.

This Executive Order shall take effect immediately.

DONE, in the City of Manila, this 24th day of May, in the Year of Our Lord, Two Thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 251
FURTHER DEFINING THE SUPERVISION AND COORDINATION OF POLICIES,
PLANS AND PROGRAMS BY THE DEPARTMENT OF FINANCE OVER CERTAIN
GOVERNMENT FINANCIAL INSTITUTIONS

WHEREAS, Executive Order No. 211 s. 2000 “Transferring Supervision of Certain Government Financial Institutions from the Office of the President to the Department of Finance” transferred the Development Bank of the Philippines, Government Service Insurance System, Land Bank of the Philippines and Social Security System, hereinafter referred to as the GFIs, from the Office of the President to the Department of Finance for administrative supervision and program coordination;

WHEREAS, it is proper and desirable to further define the administrative relationship between the Department of Finance and these GFIs in accordance with the provisions of Section 38, Chapter 7, Book IV, of the Administrative Code of 1987;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Administrative Relationship. The Department of Finance shall have administrative supervision over the GFIs. The Department shall likewise review and coordinate the policies, plans and programs of government financial institutions in the manner provided in this Order.

Section 2. Administrative Supervision. (a) The Department of Finance shall have the authority: (1) to oversee the general operations of the GFIs and to ensure that they are managed effectively, efficiently and economically but without interference with day-to-day activities; (2) to conduct management audit, performance evaluation and inspection to determine compliance with policies, standards and guidelines of the Department of Finance; (3) to take such action as may be necessary for the proper performance of official functions, including rectification of violations, abuses and other forms of maladministration; and, (4) to review and pass upon budget proposals of the GFIs but may not increase or add to them;

(b) The authority of the Department shall not extend to: (1) appointments and other personnel actions; (2) loans and contracts entered into by the GFIs in the pursuit of their objectives, the review of which and other procedures related thereto shall be governed by appropriate laws, rules and regulations; and (3) the power to review, reverse, revise or modify the decisions of the GFIs done in the exercise of their regulatory or quasi-judicial functions.

Section 3. Policy, Plans and Program Coordination. (a) The Department of Finance shall have the authority to review and coordinate the policies, plans and programs of government financial institutions and thereafter, consistent with the lateral relationship to the GFIs vested with the Department of Finance, provide the general policies through its representative, if there is one, to the board of the GFIs, or if the Department of Finance has no representative, provide such policies directly to the board of the GFIs. In case of the latter GFIs, the Secretary of Finance may send an observer at the board or board committee meetings of these GFIs; provided, that henceforth, as soon as a vacancy occurs, a representative from the Department of Finance to be recommended by the Secretary of

Finance shall be appointed as a member of the board of directors of the Development Bank of the Philippines. The general policies provided by the Department of Finance shall serve as the framework for the internal policies of the GFIs. The Department of Finance is also authorized to require the GFIs to comply with a system of periodic reporting which shall reflect the progress of programs and projects. In the event that the Department of Finance and the head of the board or the attached agency or corporation strongly disagree on the interpretation and application of policies, and the Department of Finance is unable to resolve the disagreement, the Department of Finance shall bring the matter to the President for resolution and direction;

(b) The foregoing policy, plans and program coordination functions shall not extend to the day-to-day administration or all those pertaining to internal operations of the GFI, which shall be left to the discretion or judgment of the executive officer of the GFI concerned.

Section 4. Reporting Requirements. All reports concerning the operations of the GFIs required under the respective charters of the GFIs to be submitted to the President shall be submitted through the Department of Finance, which shall then submit its recommendations to the President in regard to such reports.

Section 5. Implementing Rules. The Secretary of Finance shall, from time to time, promulgate or issue such rules, regulations, orders, circulars, or memoranda as may be necessary to implement this Order.

Section 6. GFI Monitoring Office. The GFI Monitoring Office is hereby created, which shall be under the Office of the Secretary of Finance. For this purpose, the Department of Finance in coordination with the Department of Budget and Management shall realign or transfer existing and vacant plantilla positions from the various groups of the Department proper or from the GFIs. In addition, and upon request by the Department of Finance, the Department of Budget and Management shall create and fund not more than fifteen (15) new plantilla positions for the GFI Monitoring Office within sixty (60) days of receipt of such request, with such salary grades as may be requested by the Department of Finance.

Section 7. Repealing Clause. This Order shall supplement Executive Order No. 211 s. 2000. All other executive orders, rules and regulations, and other issuances or parts thereof that are inconsistent with the provisions of this Order, are hereby revoked or modified accordingly.

Section 8. Effectivity. This Order shall take effect immediately.

DONE in the City of Manila, this 25th day of May, in the year of our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 252
ESTABLISHING THE INTER-AGENCY COMMITTEE ON PHILIPPINE SCHOOLS OVERSEAS,
DEFINING ITS COMPOSITION, STRUCTURE, AND FUNCTIONS

WHEREAS, the State recognizes the increasing movement of peoples across international borders as a continuing global phenomenon;

WHEREAS, Article XIV, Section 1 of the Constitution of the Philippines provides that the State shall protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all;

WHEREAS, the education of Filipino children at overseas locations has become a primary concern among Filipino migrant workers and other Filipino nationals overseas;

WHEREAS, it is essential to provide expatriate Filipino youth with quality and affordable education that would contribute to shaping their Filipino identity and character, and facilitate the integration of children of Filipinos overseas into the Philippine educational system on their return to the Philippines;

WHEREAS, the establishment, management, and operation of Philippine schools overseas require policy directions, as well as the coordinated support and assistance from various agencies of the government;

WHEREAS, the Department of Education, Culture and Sports, hereinafter referred to as DECS, has the primary mandate of formulating, planning, implementing, and coordinating the policies, plans, programs and projects in the areas of formal and non-formal education up to the secondary level, supervising all educational institutions, both public and private, and providing for the establishment and maintenance of a complete, adequate and integrated system of education relevant to the goals of national development;

WHEREAS, the Department of Foreign Affairs, hereinafter referred to as DFA, is mandated in accordance with the Country Team Approach provided for in R.A. 8042, to provide leadership in the protection of Filipino migrant workers and the promotion of their welfare, in particular, and the protection of the dignity and fundamental rights and freedoms of Filipino citizens abroad;

WHEREAS, the Department of Labor and Employment, hereinafter referred to as DOLE, is mandated to promote the welfare and interest of Filipino migrant workers, as well as assist in the facilitation of the employment of Filipino professionals necessary to fulfill government thrusts on the development and promotion of the welfare of Filipinos overseas and their dependents;

WHEREAS, the Overseas Workers Welfare Administration, hereinafter referred to as OWWA, is the agency specifically tasked to protect the interest and promote the well-being of the overseas Filipino workers, including their dependents;

WHEREAS, the Commission on Filipinos Overseas, hereinafter referred to as CFO, is mandated to serve as a forum for preserving and enhancing the social, economic and cultural ties of Filipinos overseas with the Philippine motherland, and to develop and implement programs to promote the interests and well-being of Filipino youth overseas;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me under the Constitution, do hereby order:

Section 1. An **Inter-Agency Committee on Philippine Schools Overseas** to be established and be composed of the DECS, DFA, DOLE, OWWA, and CFO as members.

The **Inter-Agency Committee on Philippine Schools Overseas (IAC-PSO)** shall be chaired by DECS, and co-chaired by the DFA. The CFO shall serve as the secretariat of the Inter-Agency Committee. DOLE and OWWA shall serve as members of the Committee.

The Inter-Agency Committee may call on other agencies of the government to assist in specific matters concerning Philippine schools or educational / cultural programs overseas.

Sec. 2. The **Inter-Agency Committee** shall serve as the policy-making body and a forum for discussion and resolution of issues concerning the establishment, operation, and management of Philippine schools overseas or such type of schools or educational programs overseas. It shall review, formulate and adopt or recommend policies and programs to establish and maintain high standards of educational management, and ensure quality education for Filipino youth overseas consistent with national policy. Specifically, the Inter-Agency Committee shall undertake the following:

- a. Develop policies and guidelines in connection with the establishment, operation, management, accreditation and regulation of Philippine schools and educational programs overseas;
- b. Develop a system for classifying institutions overseas that provide Philippine-based curriculum and instruction;
- c. Conduct studies on issues and problem areas affecting the operation of Philippine schools overseas;
- d. Provide inputs to the DECS, in the development of standards and systems for monitoring and evaluation of Philippine schools overseas;
- e. Hold meetings and consultations on a regular basis to ensure the effective and efficient implementation of policies and programs for Philippine schools overseas;
- f. Conduct site visits and ocular inspections of Philippine schools overseas in furtherance of the objectives of this order; and
- g. Serve as arbiter in matters regarding Philippine schools overseas which are brought to its attention.

Sec. 3. The member agencies of the Inter-Agency Committee on Philippine Schools Overseas shall assume further responsibilities as follows:

a. The Department of Education, Culture and Sports (DECS):

- Review and prescribe guidelines to enable Philippine schools overseas to maintain academic standards, and improve overall efficiency as well as enable licensing of foreign-owned schools offering Philippine curriculum;
- 2) Develop a system for classifying institutions overseas that provide Philippine-based curriculum and instruction;
 - 3) Establish qualification standards in the selection, recruitment, appointment and promotion of school personnel;
 - 4) Develop guidelines for the supervision of school personnel and administration of disciplinary standards and procedures;

- 5) Develop a standard performance appraisal and reporting system on the operation of Philippine schools overseas; and
- 6) Provide professional, technical and administrative advice as may be requested by Philippine schools overseas.

b. The Department of Foreign Affairs (DFA):

- 1) Coordinate with the host governments regarding the establishment of Philippine schools overseas in order to ensure its effective and efficient operation;
- 2) Disseminate information about the policies and guidelines promulgated by the IAC-PSO and DECS governing the establishment and operation of Philippine schools overseas;
- 3) Accept applications to establish and operate Philippine schools overseas and endorse the same to DECS through the Commission on Filipinos Overseas for accreditation and / or recognition;
- 4) Assist DECS in monitoring and determining the level of compliance by the schools on the guidelines prescribed by DECS to ensure effective and efficient management and operation of schools overseas; and
- 5) Provide advice to various school boards whenever appropriate and necessary to ensure effective and efficient operation of Philippine schools overseas.

c. The Department of Labor and Employment (DOLE):

- 1) Assist the IAC and DECS in disseminating the policies and guidelines on the establishment and operation of Philippine schools overseas; and
- 2) Generate interest among Filipino communities abroad in the establishment and operation of Philippine schools at overseas duty stations and provide assistance as may be needed in the process of establishment.

d. The Overseas Workers Welfare Administration (OWWA):

- 1) Provide advice in the conceptualization and implementation of income-generating community projects / activities to support school operations;
 - 2) Extend or assist in obtaining donations for educational materials / equipment, including assistance in the procurement and shipment of instructional and reading materials as may be needed by the schools; and
 - 3) Extend modest loan packages or subsidies for school projects / requirements, subject to the OWWA Board policies and program thrusts;
 - 4) Assist DOLE and the Philippine Mission in generating interest among overseas Filipino communities in the establishment and operation of Philippine schools; and
 - 5) Assist in disseminating information on the policies and guidelines regarding establishment and operation of Philippine schools overseas.
-

e. **The Commission on Filipinos Overseas (CFO):**

- 1) Provide secretariat support to the IAC and keep records of the IAC meetings and agreements;
- 2) Assist the IAC in disseminating information on the policies and guidelines on the establishment, operation, and management of Philippine schools overseas, and coordinate inter-agency actions in support of this function;
- 3) Develop researches necessary to review, clarify, and or formulate policies, as may be necessary, to effect better operation, management and representation of schools;
- 4) Provide technical or other advice as may be necessary or as may be requested by Philippine schools overseas or Philippine communities overseas, pursuant to the objectives of this Executive Order;
- 5) Develop and maintain an information system on Philippine schools overseas, including relevant educational laws and regulations of host countries; and
- 6) Extend assistance in obtaining donations as may be needed from public or private sources for educational materials, equipment or school facilities.

Sec. 4. The Inter-Agency Committee shall provide policy guidance, advice and assistance, and encouragement to Filipino communities overseas for the establishment and operation of Philippine schools or educational programs overseas, as may be deemed necessary or desirable.

Sec. 5. All expenditures necessary for the implementation of the programs and activities of the Inter-Agency Committee on Philippine Schools Overseas, including costs of ocular inspections and honoraria, shall be charged against and provided for in the respective budgets of the member agencies.

Sec. 6. The departments and agencies identified herein shall formulate the necessary guidelines, as well as rules and regulations to effectively implement this order.

This Executive Order shall take effect immediately.

Done in the City of Manila, this 5th day of May, 2000.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: Presidential Management Staff

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 253
MODIFYING THE NOMENCLATURE AND THE RATES OF IMPORT DUTY ON VARIOUS
PRODUCTS UNDER SECTION 104 OF THE TARIFF AND CUSTOMS CODE OF 1978
(PRESIDENTIAL DECREE NO. 1464, AS AMENDED)

WHEREAS, the modification in the rates of duty of various imported products will provide the necessary assistance and protection to the domestic industries to be globally competitive;

WHEREAS, Section 401 of the Tariff and Customs Code of 1978, as amended, empowers the President to increase, reduce or remove existing rates of duty, as well as to modify the tariff nomenclature;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in “ANNEX A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the rates of import duty in accordance with the schedule indicated opposite each article.

SEC. 2. The nomenclature and the rates of import duty on tariff headings not enumerated and those listed but represented by the symbol “x x x” shall remain in force and effect.

SEC. 3. Upon the effectivity of the Executive Order, the articles specifically listed in the aforesaid “ANNEX” which are entered in or withdrawn from warehouses in the Philippines for consumption shall be levied the rates of duty herein prescribed.

SEC. 4. All other Presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

SEC. 5. This Executive Order shall take effect thirty (30) days following the complete publication in two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, this 2th day of June, in the year of Our Lord, two thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 254

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED FOR UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE 2000-2003 PHILIPPINE SCHEDULE OF TARIFF REDUCTION UNDER THE BOLD ECONOMIC MEASURE INITIATIVES OF THE ACCELERATED COMMON EFFECTIVE PREFERENTIAL TARIFF (CEPT) SCHEME FOR THE ASEAN FREE TRADE AREA (AFTA)

WHEREAS, at the conclusion of the 6th ASEAN Summit held in Hanoi, Vietnam on 15-16 December 1999, the ASEAN Heads of State and Government agreed to adopt a number of “bold” economic measures aimed at restoring regional economic growth and hastening the recovery from the Asian financial crisis;

WHEREAS, among the “bold” economic measures adopted was the acceleration of the ASEAN Free Trade Area (AFTA) from year 2003 to 2002;

WHEREAS, each country will, by the year 2000, individually impose tariffs of 0-5% on 85% of items in their respective CEPT Inclusion Lists, 90% in year 2001 and 100%, with some flexibility, in year 2002;

WHEREAS, at its Meeting on 19 August 1999, the NEDA Board approved the acceleration of the CEPT rates on eight hundred fifty (850) tariff lines to 0-5% and likewise decided on the unification of the CEPT rates on extracted tariff lines to facilitate the implementation of the AFTA-CEPT on said products;

WHEREAS, the 13th AFTA Council Meeting and the 31st ASEAN Economic Ministers’ Meeting held in Singapore on 29 September 1999 and 30 September 1999, respectively, approved the acceleration of the CEPT tariff reduction to 0-5% on products in the Inclusion Lists of the Philippines and Thailand in year 2000 whose legal enactments shall cover the whole period of 2000-2003;

WHEREAS, Section 402 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, empowers the President, upon the recommendation of the National Economic and Development Authority, to increase, reduce or remove existing protective rates of import duty, as well as to modify the form of duty;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in **ANNEX “A”** (Articles Granted Concession under the “bold” measure initiative of the **AFTA-CEPT**) hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the **ASEAN Common Effective Preferential Tariff** in accordance with the 2000-2003 schedule indicated in Columns 4-7 of **ANNEX “A”**. The **ASEAN CEPT** rates so indicated shall be accorded to imports coming from **ASEAN** member states applying **CEPT** concession to the same product pursuant to Article 4 of the **CEPT** Agreement and its Interpretative Notes.

SEC. 2. In the event that any subsequent changes are made in the basic (**MFN**) Philippine rate of duty on any of the articles listed in **ANNEX “A”** to a rate lower than the rate prescribed in Columns 4-7 of **ANNEX “A”** such article shall automatically be accorded the corresponding reduced duty.

SEC. 3. The Margins of Preference (MOPs) accorded under the ASEAN Preferential Trading Arrangements (PTA) shall no longer be extended to any of the products listed in ANNEX “A” hereof.

SEC. 4. From the date of effectivity of this Order, all articles listed in ANNEX “A” entered or withdrawn from warehouses in the Philippines for consumption shall be imposed the rates of duty therein prescribed subject to qualification under the Rules of Origin as provided for in the Agreement on the CEPT Scheme for the AFTA signed on 28 January 1992.

SEC. 5. All Presidential issuances, administrative rules and regulations, or parts thereof, which are contrary or inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 6. This Executive Order shall take effect immediately.

Done in the City of Manila, this 12th day of June, in the year of Our Lord, two thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Reference: Annex “A”

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 255
**ADDRESSING RURAL POVERTY IN THE PHILIPPINES THROUGH THE CONSERVATION,
PROTECTION AND DEVELOPMENT OF NATURAL RESOURCES**

WHEREAS, rural poverty in the Philippines continues to rise despite government efforts to alleviate poverty;

WHEREAS, the El Niño and other climate-related occurrences created more adverse impact on the poorest sectors of society than the Asian financial crisis;

WHEREAS, the farmers and fisherfolk sectors are among the poorest sectors in Philippine society faced with a bleak future due to the degradation of their surrounding environment;

WHEREAS, appropriate support services must be delivered to the poor at the community level to arrest rising rural poverty and increasing natural resource depletion;

WHEREAS, the National Anti-Poverty Commission (NAPC) is mandated by law, R.A. 8425, to monitor the implementation of the government's poverty eradication program, particularly those concerned with enhancing the capability of the poor to uplift their own conditions through better management of natural resources;

WHEREAS, the NAPC is specifically mandated to provide financial and non-financial incentives to local government units with counterpart resources for the implementation of social reform and poverty alleviation programs [sec. 7(7), R.A. 8425];

WHEREAS, the NAPC advocates for and promotes tripartite efforts of the government, civil society and business towards poverty eradication, especially through local governance;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby declare the establishment of a network of community-based enterprises to address rural poverty through the conservation, protection and development of natural resources.

Section 1. Network. The NAPC shall lay the groundwork for the establishment of a network of local government units with community-based enterprises implementing sustainable resource management projects at the barangay level, through the provision of a standard set of services for coastal and upland communities.

Section 2. Local Development Plans. The participating local government units (LGUs) shall submit local development plans using the sustainable integrated area development (SIAD) framework for the localization of Philippine Agenda 21, in accordance with Memorandum Order No. 47, s. 1999, with a resolution for counterpart funding. These development plans shall incorporate a monitoring system for poverty indicators in accordance with the NAPC monitoring system.

Section 3. Poorest Families. A minimum of one hundred poorest families in each participating barangay shall be identified as local cooperators for the community-based enterprises forming part of the Network. Identification shall be based on the Minimum Basic Needs (MBN) approach to be conducted by the Dept. of the Interior and Local Governments (DILG). Their minimum basic needs of survival, security and enabling services shall be addressed by the concerned agencies, through the NAPC.

Section 4. Support Services. The NAPC shall coordinate the delivery of support services by concerned agencies consisting of (a) affordable and clean energy, (b) transportation facilities, (c) communication systems, (d) micro-enterprise development and (e) water systems. These support services shall cover the needs of the whole barangay and may be augmented by equipment.

Section 5. Technical and Financial Assistance. The NAPC shall source technical and financial assistance to participating LGUs and community-based enterprises run by non-governmental organizations and peoples organizations. In this regard, the counter valued fund of the non-project grant assistance (NPGA CVF) of the Government of Japan is hereby earmarked for the network, subject to compliance of all donor requirements by the NAPC. Furthermore, the NAPC shall ensure the convergence of donor assistance to the network.

Section 6. Network Committee. Implementation of this order shall be handled by a Network Committee under the NAPC consisting of the following:

Chairman	NAPC Vice-Chairperson, Government Sector
Vice-Chairman	NAPC NGO Sector Representative
Member	DILG Representative
Member	DENR Representative
Member	DA Representative
Member	NAPC Farmer Sector Representative
Member	NAPC Fisherfolk Sector Representative

Section 7. Endowment Fund. A portion of the NPGA CVF shall be set aside as an endowment fund for the benefit of NGOs and POs implementing community-based enterprises through the conservation, protection and development of natural resources, especially those leading to biodiversity conservation and sustainable development. This sum may be added to an existing environmental endowment fund; provided, that the earnings from this contribution shall be administered separately from other funds, subject to such administrative agreements as may be agreed upon when the contribution is effected.

Section 8. Repealing, and Separability Clause. This Order modifies, repeals, amends, revokes all previous issuances, orders, circulars inconsistent herewith. Uncontested provisions shall remain valid and binding should some parts herein be declared unconstitutional.

This Order takes effect immediately.

Done in Manila, this 15th day of June, in the Year of Our Lord, Twenty Hundred.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
RONALDO B. ZAMORA

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 256
GUIDELINES THAT WILL GOVERN THE OPERATIONS OF THE GUARANTEE FUND
FOR SMALL AND MEDIUM ENTERPRISES PENDING ITS FULL CONSOLIDATION/
INTEGRATION WITH THE SMALL BUSINESS GUARANTEE AND FINANCE
CORPORATION AND RELATED MATTERS

WHEREAS, Executive Order No. 233, dated April 26, 2000, directed the transfer of the supervision and control over the Livelihood Corporation (“Livecor”) from the Office of the Executive Secretary to the Department of Agriculture;

WHEREAS, the same Executive Order likewise mandated that the Guarantee Fund for Small and Medium Enterprises (“GFSME”) shall be attached to the Department of Trade and Industry (“DTI”) for supervision, control, policy/program coordination;

WHEREAS, to ensure the continued implementation of the programs of GFSME pending full consolidation/integration with the Small Business Guarantee and Finance Corporation (“SBGFC”) certain changes in the internal and external operations of GFSME will have to be effected;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The corpus of GFSME that will be eventually integrated/consolidated with SBGFC shall consist of its personnel and all the assets, as reflected in the 1999 Audited Financial Statement of GFSME, including subsequent additions/accruals thereto. All liabilities which have accrued prior to the integration/consolidation with SBGFC shall be honored under the new set-up.

SECTION 2. All systems, policies, procedures and guidelines previously approved for GFSME and officially sanctioned by higher authorities including, but not limited to, the Office of the President, Department of Budget and Management, Civil Service Commission, and Commission on Audit, shall be considered authorized under the interim set-up until full consolidation/integration with SBGFC is achieved, after which new systems will be put in place.

SECTION 3. The operations of GFSME pending full consolidation/integration with SBGFC shall be governed by a Management Committee to be composed of five (5) members, as follows:

1. The DTI Undersecretary for Industry and Investments or his designated alternate, as Chairman;
2. The GFSME Executive Director, as Vice Chairman;
3. The head of SBGFC;
4. Two (2) other members coming from the private sector who shall be appointed by the DTI Secretary and shall hold office at the pleasure of the DTI Secretary.

The Management Committee shall meet at least once a month or as often as the exigencies of the service demand. The presence of at least four (4) members shall constitute a quorum and the vote of a

majority of the members present there being a quorum shall be necessary for the adoption of any act or resolution.

A Committee Secretary shall likewise be appointed by the DTI Secretary who shall be responsible for the preparation of minutes of the meetings and shall perform such other duties as may be required to effect the holding of regular Management Committee meetings.

The DTI Secretary is hereby authorized to grant reasonable honoraria/fee to the members of the Committee and the Secretary thereof.

SECTION 4. The Management Committee is hereby specifically empowered:

- a) To approve guarantee applications/restructuring of accounts up to P20 Million Pesos. Guarantee applications/restructuring of accounts for less than P10 Million may however, be approved by a Credit Committee to be composed of the DTI Undersecretary for Industry and Investments or his alternate, the GFSME Executive Director and a third member to be designated by the Management Committee from among its members. Guarantee applications/restructuring of accounts for less than P5.0 Million may be approved by the GFSME Executive Director upon the recommendation of the Operations Committee.
- b) To approve the sale of acquired assets, whether real or movable and the rules and regulations that will govern the sale of said assets;
- c) To approve changes/amendments to the existing guidelines on the issuance of guarantee;
- d) To approve supplemental budgets and such other changes in the regular budgets as may be recommended by the GFSME Executive Director;
- e) To approve purchases relating to the GFSME operations exceeding P5.0 Million;
- f) To formulate policies, rules and regulation to carry out effectively the functions and purposes of GFSME.

SECTION 5. Contractual commitments of GFSME approved by the appropriate Committee shall be signed by the GFSME Executive Director for and in behalf of DTI.

SECTION 6. Further to E.O. 233, the DTI Secretary is authorized to reorganize, streamline and adopt a new staffing pattern to suit the requirements of the consolidated GFSME-SBGFC. The DTI Secretary is likewise authorized to provide separation benefits to affected personnel, if any, of both GFSME and SBGFC which shall be in addition to all gratuity and benefits to which they are entitled to under existing laws.

SECTION 7. All executive orders, rules and regulations or parts thereof inconsistent with this Executive Order are hereby repealed or revoked accordingly.

SECTION 8. This Executive Order shall take effect immediately.

DONE in the City of Manila, Philippines this 20th day of June, in the year of our Lord Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 257
SUSPENDING THE MECHANISM OF REMITTING BY THE PHIVIDEC INDUSTRIAL
AUTHORITY OF 50% OF ITS PROFIT TO THE PHILIPPINE VETERANS INVESTMENT
AND DEVELOPMENT CORPORATION

WHEREAS, Presidential Decree No. 538 dated August 1974 created and established the PHIVIDEC Industrial Authority (PIA) as the body corporate to carry out the policy of the Government to encourage, promote and sustain the economic and social growth of the country;

WHEREAS, to further carry out the above policy, the Decree mandated the establishment of PHIVIDEC Industrial Areas, the first of which is the PHIVIDEC Industrial Estate-Misamis Oriental (PIE-MO) located in the municipalities of Tagoloan and Villanueva in the Province of Misamis Oriental;

WHEREAS, the Decree further mandates the PIA to operate, administer and manage PIE-MO, and for this purpose empowers the PIA to construct, acquire, own, lease, operate and maintain infrastructure facilities, factory buildings, warehouses, dams, reservoirs, water distribution, electric light and power systems, telecommunications and transportation networks, or such other facilities and services necessary or useful in the conduct of industry and commerce or in attainment of the purposes and objectives of the Decree;

WHEREAS, the PIE-MO, with the establishment of a container port and terminal, will be the gateway to the East Asia Growth Area/Brunei-Indonesia-Malaysia-Philippine region (EAGA-BIMP);

WHEREAS, the Loan Agreement requires the repayment of the loan in accordance with the Amortization Schedule fixed therein and the payment of interest in accordance therewith;

WHEREAS, Presidential Decree No. 538 provides that fifty percent (50%) of the profit of the PIA shall be turned over to the Philippine Veterans Investment and Development Corporation (PHIVIDEC);

WHEREAS, the GRP has to ensure the repayment of the loan, but to require the PIA to continue remitting to the PHIVIDEC 50% of its profit including that from the MTCP will prejudice the repayment schedule on the loan and may even cause the GRP to default;

WHEREAS, the JBIC has expressed concern over the current mechanism of remitting 50% of the PIA's profit to the PHIVIDEC, and has explained to the GRP the necessity of changing that mechanism;

WHEREAS, it is of paramount interest in the full economic development of Mindanao that the MTCP be completed and made operational without delay and that the profits from its operation be plowed back to the MTCP for maintenance, improvement and expansion;

WHEREAS, under Presidential Decree No. 1416 dated 9 June 1978, as amended by Presidential Decree No. 1772 dated 15 January 1981, the validity of which Decrees "are unquestionable" as held by the Supreme Court in *Larin vs. Executive Secretary et al.*, G.R. No. 112745, 16 October 1997, the President of the Philippines "shall have continuing authority to reorganize the National Government, x x x including all government-owned or controlled corporations, as well as the entire range of the powers, functions, authorities, administrative relationships, and related aspects pertaining to these agencies, entities, instrumentalities and units;"

WHEREAS, under the same Decrees the President of the Philippines has the power to “expand, amend, change, or otherwise modify their powers, functions and authorities, including, with respect to government-owned or controlled corporations, their corporate like, capitalization, and other relevant aspects of their charters” and to take “such other related actions as may be necessary to carry out the purposes and objectives of this Decree;”

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Suspension of the 50% remittance. Effective immediately and until the entire loan under Loan Agreement No. PH-P213 is paid in full, or sooner if circumstances warrant and as otherwise directed by the President of the Philippines, the mechanism of remitting by the PHIVIDEC Industrial Authority of 50% of its profit to the Philippine Veterans Investment and Development Corporation is hereby suspended.

SEC. 2. Assistance to veterans. The above suspension notwithstanding, the Board of Directors of the PHIVIDEC Industrial Authority is hereby authorized to fix an amount from its profit every calendar year beginning with CY 2005 for donation/assistance directly to government hospitals for the benefit of veterans.

SEC. 3. Repealing Clause. Conformably with Presidential Decree No. 1416, as amended by Presidential Decree No. 1772, all laws, decrees, charters, executive orders, administrative orders, proclamations, rules, regulations and other issuances or parts thereof which are in conflict with the provisions of this Executive Order are hereby repealed or modified accordingly.

SEC. 4. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 28th day of June, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 258
PRESCRIBING TIME STANDARDS IN THE ISSUANCE OF PERMITS FOR HOUSING PROJECTS

WHEREAS, the President declared mass housing as the centerpiece program of the Estrada administration through the issuance of Executive Order No. 159 dated 12 October 1999; and,

WHEREAS, Executive Order No. 159 (s. 1999) as amended by Executive Order 216 (s. 2000) further strengthened the Housing and Urban Development Coordinating Council and mandated it to coordinate and monitor the activities of all government agencies undertaking housing projects, including those of local government units, to ensure the accomplishment of the government's housing program.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Prescribing Time Standards for the Issuance of Housing Permits. The following agencies of the national government shall adopt the following time standards in the issuance of permits for housing projects:

a. Housing and Land Use Regulatory Board

- Zoning Certifications and Indorsements within five (5) days upon receipt of completed application.
- Certificates of Registration (CR) and Licenses to Sell (LTS) within thirty (30) days upon receipt of completed application.

b. Department of Agriculture

- Certifications stating eligibility for reclassification of agricultural lands, including the National Irrigation Administration (NIA) and Philippine Coconut Authority (PCA) certifications, within ten (10) days upon receipt of application and by the DA-Regional Field Unit.

c. Department of Agrarian Reform

- Conversion Order (CO) applications within thirteen (13) days upon receipt of completed application.

d. Department of Environment and Natural Resources

- National Integrated Protected Area System (NIPAS) Certification stating whether the project area is within or outside the NIPAS, within five (5) days upon receipt of completed application. Issuance of Environmental Compliance Certificate (ECC) and Environmental Clearance (EC) applications within forty-five (45) days of application.
- Verified survey returns within fifteen (15) days upon submission of survey returns to the DENR.

e. Laguna Lake Development Authority (DENR attached)

- LLDA Clearance for areas within its jurisdiction within fifteen (15) days upon receipt of completed application and conduct of inspection.

f. **Land Registration Authority (DOJ attached)**

- Titles of lots of approved housing projects within fifteen (15) days upon receipt of completed application.

g. **Local Government Units**

- Issuance of Development Permits within thirty (30) days upon receipt of completed application.

Section 2. Formulation of Implementing Guidelines and Monitoring. The HUDCC, together with the concerned agencies, shall formulate the implementing guidelines of this order within 45 days from the date of effectivity of this order. The HUDCC and DILG shall monitor the compliance of the concerned national government agencies and the local government units, respectively, with the provisions of this Order. In this regard, the HUDCC and DILG shall submit regular reports to the Presidential Commission on Mass Housing (PCMH).

The HUDCC and DILG may call on the support and assistance of other government agencies, bureaus and instrumentalities, including private sector organizations, in the implementation of this Order.

Section 3. Separability Clause. In the event any provision hereof is declared invalid by any competent court or tribunal, the other provisions hereof unaffected thereby shall remain in full force and effect.

Section 4. Effectivity. This order shall take effect immediately.

DONE in the City of Manila, this 28th day of June, in the year of Our Lord Twenty Hundred.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 259
ACTIVATING THE CENTRAL MANAGEMENT INFORMATION OFFICE IN THE
DEPARTMENT OF FINANCE AND INTEGRATING THE APPROPRIATE POSITIONS OF THE
ECONOMIC INTELLIGENCE AND INVESTIGATION BUREAU IN SAID OFFICE
AND THE BUREAU OF CUSTOMS AND FOR OTHER PURPOSES

WHEREAS, the Economic Intelligence and Investigation Bureau (EIIB) has been mandated to wind up its operation under RA 6760 (FY 2000 General Appropriations Act) and deactivated pursuant to EO 191 (07 January 2000), EO 223 (29 March 2000) and EO 247 (20 May 2000);

WHEREAS, Section 78 of RA 6760 further authorizes the heads of departments in the Executive Branch to review and identify activities which are no longer essential in the delivery of public services and which may be phased-out or abolished, and adopt measures that will result in the streamlined organization and operations and improved overall performance and productivity of other respective agencies;

WHEREAS, EO 223 directs the transfer to/retention in the Department of Finance (DOF) of EIIB residual functions pertaining to providing the DOF Secretary intelligence reports and information of illegal activities especially those impairing the revenue-raising capability of DOF, and those pertaining to global trends and benchmarks which may adversely affect national financial interest;

WHEREAS, there is a need to maintain and coordinate certain economic intelligence operations in the DOF, its bureaus and attached agencies, as well as with other government intelligence agencies;

WHEREAS, there is a need for the establishment of systems and procedures, and review of work processes of the DOF, its bureaus and attached agencies to ensure transparency and efficiency in public service delivery and program implementation, especially with respect to tax administration;

WHEREAS, Sections 8 and 10, Chapter 3, Title II, Book IV of EO 292 (Revised Administrative Code of 1987) creates a Central Management and Information Office (CMIO) under the Policy Development and Management Services Group of the DOF;

WHEREAS, in aid of carrying out the purposes of EO 223, it is necessary to activate the CMIO, and its intended functions under EO 292 be enhanced to absorb the residual functions of EIIB to fully support the information requirements of the Office of the Secretary of Finance;

WHEREAS, there is a continuing need for a reinforced internal inquiry in the Office of the Secretary of Finance to pursue anti-graft cases of DOF personnel, its bureaus and attached agencies;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Activation of the CMIO. The Central Management Information Office in the Department of Finance created under EO 292 (Administrative Code of 1987) shall be activated as the sole repository of information in the DOF.

SEC. 2. Specific Functions of the CMIO. The CMIO shall specifically undertake the following functions:

-
- a. Formulate policies, plans, and procedures for data collection, control and management;
 - b. Establish a management information system and subsystems for monitoring and evaluation of department-wide programs and projects, including those that are executed by operating bureaus and offices of the Department;
 - c. Receive, gather and evaluate intelligence reports/information and evidence on the nature, scope and extent of illegal activities affecting the revenue generating capability of the country;
 - d. Coordinate with external agencies in monitoring the financial and economic activities of persons or entities, whether domestic or foreign, which may adversely affect national and financial interests with the goal of regulating, controlling or preventing said activities;
 - e. Prepare economic intelligence reports on issues of vital importance to the national financial condition, economic interests and competitiveness;
 - f. Provide all intelligence units of operating bureaus and agencies under the Department with the general framework and guidelines in the conduct of economic intelligence and investigation; and
 - g. Review and recommend systems, processes and procedures to ensure efficient and transparent delivery of public service with respect to revenue generation, and compliance with laws, directives, especially in highly vulnerable areas.

SEC. 3. Integration of EIIB Positions. The activation of the CMIO shall be made through the integration of appropriate positions from the EIIB and DOF, as proposed by the DOF and reviewed by the Department of Budget and Management (DBM), considering the actual staffing requirements of the unit.

Moreover, the integration of appropriate EIIB positions in other organizational units of the DOF, primarily in the Bureau of Customs (BOC), shall be proposed by the DOF and reviewed by the DBM.

SEC. 4. Appointments. The right of security of tenure of incumbent personnel shall be given due regard in the appointment to the integrated positions, where applicable, and preference for EIIB employees, subject to the qualification standards and rules of the Civil Service Commission.

SEC. 5. Transfer of EIIB Assets and Liabilities to the DOF. The transfer without cost of EIIB assets and liabilities to the DOF shall be undertaken, as provided under EO 223. The DOF is hereby authorized to utilize, lease or allow the use, with or without cost, of such EIIB assets to its bureaus and attached agencies, as preferred beneficiaries; and to other government units, especially local government units in the third and fourth-class municipalities.

The DOF is further authorized to dispose of such EIIB assets which may be found uneconomic to maintain, or repair, in accordance with existing laws, auditing and accounting rules and regulations.

SEC. 6. Funding Requirements. The initial funding requirements for the integrated positions shall primarily be sourced from the savings of the DOF and the BOC, and augmented from appropriate sources as may be determined by the DBM. Thereupon, the budgetary requirements of the integrated positions shall be included in the annual budget of the DOF and the BOC under the General Appropriations Act.

SEC. 7. Administrative Oversight. The Secretary of Finance is hereby directed to ensure that the intent of this Executive Order is served on or before 30 June 2000, and to issue the necessary policy guidelines, implementing procedures and directives for the purpose.

The Secretary of Finance is further directed to ensure that all seized goods of the EIIB and pending cases are transferred to the appropriate agencies, including the BOC and the Department of Environment and Natural Resources.

SEC. 8. Separability Clause. Any portion or provision of this Executive Order that may be declared unconstitutional shall not have the effect of nullifying other portions or provisions of the Order as long as such remaining portions can still subsist and be given effect.

SEC. 9. Repealing Clause. All executive orders, rules, regulations and other issuance or parts thereof which are inconsistent with the provisions of this Executive Order are hereby revoked or modified accordingly.

SEC. 10. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 29th day of JUNE, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 260

AMENDING EXECUTIVE ORDER NOS. 159 AND 179 S. 1999 AND EXECUTIVE ORDER NO. 216 S. 2000, CONSOLIDATING THE HOUSING FUNCTIONS AND STAFF SUPPORT ON HOUSING TO THE HOUSING AND URBAN DEVELOPMENT COORDINATING COUNCIL

WHEREAS, Executive Order No. 159 (s. 1999) declared mass housing as a centerpiece program of the Estrada Administration;

WHEREAS, Executive Order No. 159 further provided for the creation of the Presidential Commission on Mass Housing (PCMH) with a full-time Secretariat to be composed of personnel from the Housing and Urban Development Coordinating Council (HUDCC) and the Presidential Management Staff (PMS);

WHEREAS, Executive Order No. 179 (s. 1999) created the Presidential Housing Assistance One-Stop Center to provide assistance to beneficiaries and developers of socialized and low-cost housing projects nationwide to be based in the PMS and manned by PMS personnel;

WHEREAS, Executive Order No. 216 (s. 2000), amending E.O. 179, placed the secretariat of the PCMH under the direct supervision of the Presidential Adviser on Housing;

WHEREAS, there is a need to consolidate housing functions and staff support on housing to the HUDCC to enhance the control and supervision over housing and related activities;

WHEREAS, the HUDCC has already been strengthened and given the necessary support to effectively lead in the attainment of government's mass housing goals;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution do hereby order:

SECTION 1. Consolidation of the Secretariat Functions for the PCMH to the HUDCC. Section 2.3, item no. 3 of E.O. 159 and Section 1.2 of E.O. No. 216 are hereby amended and all functions of the PMS related to administrative, technical and logistics as Secretariat of the PCMH, and assistance to the Office of the Presidential Adviser on Housing are hereby transferred to the HUDCC.

SECTION 2. Transfer of the Presidential Housing Assistance One-Stop Center to the HUDCC. Section 1 and Section 3 of E.O. No. 179 are hereby amended and the roles and functions of the PMS on the Presidential HAOS Center and the R-HAOS Center are hereby transferred to the HUDCC.

SECTION 3. Separability Clause. If any part or provision of this Executive Order shall be declared invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 4. Repealing Clause. All executive and other administrative issuances or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 5. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 29th day of June, in the year of our Lord, twenty hundred.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 261
CONSTITUTING THE MINDANAO COORDINATING COUNCIL

WHEREAS, Mindanao has been the subject of development efforts which have so far been unsuccessful;

WHEREAS, there has been uneven development in Mindanao, especially in the Autonomous Region in Muslim Mindanao;

WHEREAS, this part of Mindanao has been the object of armed conflicts;

WHEREAS, there is a need to rehabilitate and reconstruct the areas affected by the conflicts in Mindanao to normalize the situation and restore economic activities in the area;

WHEREAS, the normalization of the situation in Mindanao will make the area more conducive to business activities and attract more people and investments in the area towards the development of Mindanao;

WHEREAS, there is a need to synchronize, integrate, and accelerate the efforts of the various sectors, including the existing bodies and agencies created to promote the development of Mindanao, to ensure the efficient utilization of resources and effectiveness of plans, programs and projects;

WHEREAS, there is a need for a high-level body that would coordinate and orchestrate all rehabilitation and development efforts in Mindanao;

WHEREAS, Mindanao is a priority area of the Estrada Administration and the President has been taking a direct hand in the development of the area;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order:

Section 1. Constitution of the Mindanao Coordinating Council. There is hereby constituted a Mindanao Coordinating Council (MCC) which shall act as the overall coordinating body to ensure the integration, synchronization and accelerated implementation of plans, programs and projects to rehabilitate Mindanao, specifically in the areas affected by the conflict. The MCC shall be composed of the following:

Chairman	President
Vice-Chair	Executive Secretary
Co Vice-Chair	Private Sector Representative from Mindanao
Members	Secretary of Budget and Management
	Secretary of Public Works and Highways
	Secretary of Finance
	Secretary of Trade and Industry
	Secretary of Agriculture
	Secretary of Energy
	Secretary of Education, Culture and Sports

Secretary of Health
Director General of the National Economic and
Development Authority
Chairman of the Presidential Committee on Flagship
Programs and Projects
Chairman of the Housing and Urban Development
Coordinating Council
Representative from the Regional Development Councils in
Mindanao
Five (5) Private Sector Representatives

An Advisory Board, whose Chairman Emeritus is from the private sector, and whose members shall be appointed by the President, shall also be created.

The private sector co-vice chair and members of the MCC, who shall come from the business and religious sectors and civil society/non-government organizations, shall also be appointed by the President. Of the five (5) private sector members, four (4) shall come from Mindanao.

The MCC may invite representatives from the legislative branch and may call on concerned heads of government agencies and instrumentalities to participate in the Council's activities as needed.

Section 2. Functions. The Mindanao Coordinating Council shall have the following functions:

- a. Coordinate, prioritize and synchronize all plans, programs and projects of all government agencies and instrumentalities involved in the rehabilitation of Mindanao, specifically in the areas affected by the conflict;
- b. Facilitate and orchestrate the accelerated implementation of plans, programs and projects, including those sourced from Official Development Assistance Programs, for the rehabilitation of Mindanao;
- c. Facilitate the mobilization of resources earmarked for the rehabilitation of Mindanao;
- d. Direct any office, agency or instrumentality of the government to expeditiously execute its functions to attain the objective of rehabilitating Mindanao;
- e. Promote private sector involvement in the implementation of all Mindanao rehabilitation plans, programs and projects of government agencies and instrumentalities; and
- f. Monitor and evaluate the implementation of all plans, programs and projects for the rehabilitation of Mindanao of all government agencies and instrumentalities.

Section 3. Primacy of Council Decisions. Decisions of the Council on matters related to the rehabilitation efforts in Mindanao, specifically in the areas affected by the conflict and approved by its Chairman, shall overrule decisions or lack of decision of any department, bureau or office, subject to any Constitutional or legal limitation on the exercise of such Presidential power.

Section 4. Institutional Relationships. As the overall coordinating body for the development of Mindanao, the Council shall ensure maximum participation of existing government agencies, bodies and instrumentalities in Mindanao such as the Mindanao Economic Development Council, Southern Philippines Council for Peace and Development and the Autonomous Region in Muslim Mindanao (ARMM) Government. These bodies shall serve as the coordinating, monitoring and validating arm of the Council in the area.

Section 5. Creation of a Technical Committee. A Technical Committee, which shall be chaired by the Director General of the National Economic and Development Authority (NEDA), is hereby

created to assist the MCC in the pursuit of its functions. The Technical Committee may constitute such Sub-Committees as may be necessary from among the member-agencies and other agencies and instrumentalities and private sector representatives, to facilitate the conduct of activities and ensure the compliance of the tasks of the Council. The Chairman shall recommend to the Council the composition of the Technical Committee and the Sub-Committees to be created.

Section 6. Technical and Administrative Support. The Presidential Management Staff shall provide Secretariat support to the Mindanao Coordinating Council. The Council may also call on any member-agency to extend to it technical support and assistance, as may be deemed necessary.

The NEDA Secretariat shall provide the technical and administrative support to the Technical Committee.

Section 7. Funding. Initial funding for the Council and the Technical Committee shall be sourced from the budget of the Office of the President. Thereafter, the appropriations for the continued operations of these bodies shall be included in the annual general appropriations of the government.

Section 8. Effectivity. This Executive Order shall take effect immediately upon approval.

Done, in the City of Manila, on this 5th of July, in the year of our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT

EXECUTIVE ORDER NO. 262

AMENDING EXECUTIVE ORDER NO. 302, SERIES OF 1996, ENTITLED “PROVIDING POLICIES, GUIDELINES, RULES AND REGULATIONS FOR THE PROCUREMENT OF GOODS/SUPPLIES BY THE NATIONAL GOVERNMENT” AND SECTION THREE (3) OF EXECUTIVE ORDER NO. 201, SERIES OF 2000, ENTITLED “PROVIDING ADDITIONAL POLICIES AND GUIDELINES IN THE PROCUREMENT OF GOODS AND SUPPLIES BY THE NATIONAL GOVERNMENT”

WHEREAS, the amendments to Executive Order (EO) No. 302, series of 1996, are based on the basic principles of: shifting emphasis from pre-qualification to eligibility check, and strengthening post-qualification; changing the criterion for award from lowest evaluated responsive bid to lowest calculated responsive bid; and use of available budget as the ceiling in evaluating bid price;

WHEREAS, the Prequalification, Bids and Awards Committee shall be replaced by the Bids and Awards Committee to de-emphasize prequalification in favor of postqualification;

WHEREAS, the function of the Procurement Policy Board created under EO No. 359, series of 1989, shall be extended to formulate and promulgate the amendments to the implementing rules and regulations of this Executive Order.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order:

SECTION 1. Section 1 of EO No. 302, series of 1996, as amended by EO No. 201, series of 2000, is hereby amended to read as follows:

“**SECTION 1.** A set of rules and regulations covering contracts for the procurement of goods and supplies for both project-related and normal/regular operation and maintenance activities of the National Government including Government-Owned and Controlled Corporations (GOCCs) be adopted for the following purposes:

- a. To purchase goods of acceptable quality at fair and reasonable prices from qualified and capable suppliers/manufacturers/distributors, with on time delivery and satisfactory compliance of all contract terms and conditions;
 - b. To assure fair and equitable treatment of suppliers/manufacturers/distributors, including arrangements for prompt payments;
 - c. To accomplish procurement through open competitive bidding in the interest of economy and efficiency;
 - d. To adopt procurement procedures that utilize information technology; and
 - e. To maintain and collect data for refinement of procurement policies and procedures based on experiences gained.”
-

SECTION 2. Section 2 of EO No. 302, series of 1996, is hereby amended to read as follows:

“**SECTION 2.** Level of approving authority for contracts involving the procurement of goods/supplies for project-related and normal/regular operations and maintenance activities of all agencies of the National Government including GOCCs, shall be as prescribed under the pertinent provisions of EO Nos. 301 and 380 dated 26 July 1987 and 27 November 1989, respectively.”

SECTION 3. Section 4 of EO No. 302, series of 1996, is hereby amended to read as follows:

“**SECTION 4.** The Prequalification, Bid and Award Committee shall be replaced by the Bid and Award Committee which shall be responsible for the conduct of bidding in each and every agency, subdivision and instrumentality of the National Government....”

SECTION 4. Section 5 of EO No. 302, series of 1996, is hereby amended to read as follows:

“**SECTION 5.** The primary functions of the Committee shall be to:

1. Determine the eligibility of prospective bidders;
2. Conduct bidding;
3. Evaluate bidding results; and
4. Recommend award of contract.”

SECTION 5. Section 6 of EO No. 302, series of 1996, is hereby amended to read as follows:

“**SECTION 6.** The Procurement Policy Board created under EO No. 359, series of 1989, composed of the Secretary of Budget and Management as Chairman and, as members, the Secretaries of Finance, Trade and Industry, Health, National Defense, Public Works and Highways, Education, Culture and Sports and a representative from the Philippine Institute of Certified Public Accountants shall, subject to the approval of the President, formulate and promulgate the rules and regulations to implement the amendments to EO No. 302, series of 1996, and EO No. 201, series of 2000, and any other executive orders or amendments that pertain to the procurement of goods/supplies by the national government.”

SECTION 6. This Executive Order shall take effect immediately

DONE in the City of Manila, this 5th day of July, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 263
FACILITATING THE IMPORTATION OF SUGAR

WHEREAS, the Administration, in line with its thrust to promote the interest of the poor, aims to ensure adequate food supply at prices affordable to the ordinary Filipino;

WHEREAS, for the year 2000, there is an estimated shortage of some 150,000 metric tons (MT) of sugar;

WHEREAS, there is need to immediately undertake importation to address the projected shortfall in supply and ensure the stable price of sugar in the domestic market.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

Section 1. ***Importation of Sugar.*** The government shall hereby facilitate the importation of sugar at sixty five percent (65%) tariff to address the expected shortfall in production of 150,000 MT.

The National Food Authority shall immediately import 50,000 MT to partly address the shortage. The rest of the shortage may be addressed through private sector importation.

Section 2. ***Committee on Sugar Conversion/Auction.*** The Committee on Sugar Conversion/Auction (CSCA), created pursuant to Executive Order No. 87, series of 1999 (Facilitating the Importation of Sugar) is hereby authorized to: (a) prepare and issue the implementing guidelines on the importation of sugar by the private sector; and (b) determine the allocation and use of the fees to be collected from the importation.

The CSCA is chaired by the Department of Agriculture (DA), with the following as members: National Economic and Development Authority (NEDA), Department of Trade and Industry (DTI), Department of Finance (DOF), Sugar Regulatory Authority (SRA), and a representative each from the sugar planters' group and the sugar millers' group.

The membership of the CSCA is also hereby expanded to include a representative each from the consumers group and the sugar workers group. The three representatives of the sugar industry and the representative of the consumers group shall be appointed by the DA Secretary, upon nomination of the SRA Administrator and the DTI Secretary, respectively.

Section 3. ***Sugar Importation Guidelines.*** The guidelines shall cover, among others, the following: (a) quantity of sugar that shall be imported per tranche; (b) the amount of fees that shall be collected from the importers; (c) deadline(s) for the sugar importation per tranche; and (d) posting of a performance bond by importers, callable on demand, to ensure the faithful and prompt undertaking of the importation by each importer.

All sugar that shall be imported following the guidelines prepared by the Committee shall be classified as "B" (domestic use) sugar.

Section 4. ***Reporting Requirement.*** The SRA shall monitor the domestic sugar situation and shall submit through the DA, bi-monthly reports to the President on the matter. Before the end of the year

2000, the CSCA shall report to the President the amount of fees that had been collected from the importation and how such fees had been allocated.

Section 5. *Repealing Clause.* All orders, issuances or parts thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

Section 6. *Effectivity.* This Executive Order shall take effect immediately and shall be effective until December 31, 2000, unless repealed, modified or amended accordingly.

DONE in the City of Manila, Philippines, this 8th day of July, in the year of our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 264
ESTABLISHING THE INFORMATION TECHNOLOGY AND ELECTRONIC COMMERCE
COUNCIL (ITECC) FROM THE MERGER OF THE NATIONAL
INFORMATION TECHNOLOGY COUNCIL (NITC) AND THE ELECTRONIC
COMMERCE PROMOTION COUNCIL (ECPC)

WHEREAS, the State recognizes the vital role of information and communication technology (ICT) in the continued revitalization of the Philippine economy, the competitiveness of local industries, and the achievement of national development goals;

WHEREAS, electronic commerce, an ICT-driven activity, is revolutionizing global trade in both goods and services;

WHEREAS, the purpose of the State is to provide the policy and institutional environment to ensure the long-term and dynamic use, application and exploitation of ICT in the achievement of national goals;

WHEREAS, the State, while encouraging the widest participation from both the public and private sectors in national ICT and e-commerce initiatives, recognizes that the leadership and participation of the private sector will provide for the continuity of these initiatives;

WHEREAS, the National Information Technology Council (NITC) created pursuant to Executive Order No. 190, dated 19 July 1994, reorganized pursuant to Executive Order No. 469, dated 23 February 1998, and revitalized pursuant to Executive Order No. 125, dated 19 July 1999, was designated as the highest planning and policy advisory body on information technology matters;

WHEREAS, the Electronic Commerce Promotion Council (ECPC), created pursuant to Executive Order 468, dated 23 February 1998, was tasked to coordinate and enhance government and private sector partnership in the promotion and development of electronic commerce in the country;

WHEREAS, there is an urgent need to merge the NITC and the ECPC to ensure a streamlined and focused formulation and implementation of ICT policy.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the power vested upon me by law, do hereby order:

Section 1. *Merging of the National Information Technology Council and the Electronic Commerce Promotion Council.* The National Information Technology Council and the Electronic Commerce Promotion Council are hereby merged, and a new council is hereby established to be known as the Information Technology and Electronic Commerce Council (ITECC), hereinafter referred to as the Council. The Council shall be under the Office of the President.

SECTION 2. *Functions.* ITECC shall have the following functions:

- a. Oversee the implementation and conduct periodic reviews and updating of the National Information Technology Action Agenda for the 21st Century (IT21), the Government Information Systems Plan (GISP), and their successor plans;

- b. Formulate a National Program and Strategy (NPS) for the promotion of E-Commerce in the country. The NPS for E-Commerce shall be consistent with IT21 and its successor plans;
- c. Advise the President and Congress on policies and plans relative to the development, promotion, and application of ICT and E-Commerce consistent with IT21 and its successor plans;
- d. Harmonize and coordinate all ICT and e-commerce public initiatives, programs, and projects to ensure their consistency with the goals of IT21, GISP, NPS and their successor plans;
- e. Promote strategic partnership and alliances among and between local and international ICT firms and institutions; R&D, educational and training institutions; and technology providers, developers and manufacturers, to speed up industry growth;
- f. Assess, review and provide direction and support for continuing research on various relevant aspects of ICT and E-Commerce, including the assessment of the progress and problems thereof;
- g. Source necessary funds both from the private and public sectors to support the implementation of IT21, GISP, NPS, and their successor plans;
- h. Create and maintain a national database on IT as part of the national statistical system; and
- i. Perform such other functions as may be assigned by the President.

Section 3. *Membership.* The Council shall be composed of eight (8) members from government and seven (7) members from the private sector as follows:

Secretary, Department of Trade and Industry	Chairman
Secretary, Department of Science and Technology	Co-Chair
Private Sector Representative	Co-Chair
Secretary, Socio-Economic Planning and Director General, National Economic and Development Authority	Member
Secretary, Department of Transportation and Communications/National Telecommunications Commission	Member
Secretary, Department of Budget and Management	Member
Secretary, Department of Education, Culture and Sports	Member
Secretary, Department of the Interior and Local Government	Member
Managing Director, National Computer Center	Member
Six (6) other private sector representatives, who shall represent the academe, federations of private industries, and consumer groups directly related to ICT/e-commerce.	Members

Private sector representatives, including the Co-Chairperson, shall be appointed by the Council for a term of not more than three (3) years each, which may be extended for another three-year period.

Section 4. *Designation of Member's Alternate.* Any member may designate a permanent alternate to the Council. Alternates of members from the government sector should have a rank not lower than an Assistant Secretary.

Section 5. *Executive Committee.* An Executive Committee (ExCom) composed of three (3) members from government, specifically the Secretaries of the DTI, DOST and NEDA, or their alternates, and three (3) members from the private sector, is hereby created. The Council may authorize the ExCom to act on urgent concerns on its behalf.

Section 6. *Committees/Working Groups and Expanded Private Sector Participation.* The Council may create, as may be necessary, sectoral and industry task forces, technical working groups, advisory bodies or committees, for the furtherance of its objectives. Additional private sector representatives, such as from the academe and federation of private industries directly involved in ICT/e-commerce, as well as other National Government Agencies (NGAs), LGUs, and Government-Owned and Controlled Corporations (GOCCs), may be appointed to these working groups. Government IT professionals shall also be tapped to participate in the work of the Council through these working groups.

Section 7. *Meetings.* The Council shall meet at least once a month.

Section 8. *Regular Conferences with the President.* The President shall preside over the Council at least three times a year or every fourth month.

Section 9. *Secretariat.* A permanent secretariat shall be constituted to provide technical and administrative support to the Council. The secretariat shall be based at the DTI and shall be headed by an Executive Director to be appointed by the President upon the recommendation of the Council. Additional technical and administrative staff from members of the Council may also be detailed or seconded to the Secretariat as necessary.

Section 10. *Role of National Government Agencies (NGAs), Local Government Units (LGUs), Government Owned and Controlled Corporations (GOCCs).* All NGAs, LGUs and GOCCs shall actively support the Council in the discharge of its functions listed in Section 2 above.

Section 11. *Funding.* To carry out the provisions of this Order, the Department of Budget and Management (DBM) shall release from the Organizational Adjustment Fund of the CY 2000 Budget P6.0 million for the Council's July – December 2000 operational budget. The DBM shall include appropriations for the continued operations of the ITECC in the general appropriations bill submitted to Congress for CY 2001 and subsequent years.

Section 12. *Implementing Rules and Regulations.* The ITECC is hereby authorized to promulgate the necessary rules and regulations to implement this Executive Order. This shall include the determination and/or clarification of the functional relationship between the permanent secretariat of the Council and the National Computer Center.

Section 13. *Repealing Clause.* EO No. 190 (s. 1994), EO No. 468 (s. 1998), EO No. 469 (s. 1998), and EO No. 125 (s. 1999) and all other executive issuances, rules and regulations or parts thereof that are inconsistent with the provisions of this Executive Order are hereby repealed, amended or modified accordingly.

Section 14. *Effectivity.* This Executive Order shall take effect immediately.

DONE, in the City of Manila, this 12th day of July, in the year of our Lord, two thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 265

**APPROVING AND ADOPTING THE GOVERNMENT INFORMATION SYSTEMS PLAN (GISP)
AS FRAMEWORK AND GUIDE FOR ALL COMPUTERIZATION EFFORTS IN GOVERNMENT**

WHEREAS, the government is committed to carry out, in pursuance of “Angat Pinoy 2004”, or the Medium-Term Philippine Development Plan, 1999-2004, wide-ranging administrative reforms to enhance government efficiency and effectiveness in government operations and in the delivery of basic services to the public;

WHEREAS, these reforms are being pursued particularly in fiscal and financial management, procurement, education and manpower development, personnel welfare, organizational effectiveness, and service delivery;

WHEREAS, the wider use and application of information and communications technology offer tremendous opportunities for government to ensure the success of these reforms;

WHEREAS, the National Information Technology Council (NITC), the policy advisory body on information and communications technology in the country, has formulated, in close consultation with concerned government agencies, the private sector, local government units, academe, and members of Congress, and accordingly endorsed a government information systems plan that will serve as blueprint for the computerization of vital government operations and key front-line services for more effective governance;

WHEREAS, the NITC and the Electronic Commerce Promotion Council, created pursuant to Executive Order 468, dated 23 February 1998, have been merged into the Information Technology and Electronic Commerce Council (ITECC);

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order as follows:

Section 1. *Approval of the GISP.* The Government Information Systems Plan (GISP), also to be known as “Philippine Government Online”, hereto attached, is hereby approved and adopted as framework and guide for the computerization of key frontline and common services and operations of the government to enhance overall governance and improve the efficiency and effectiveness of the bureaucracy.

Section 2. *GISP Implementation.* To ensure the full and effective implementation of the GISP, all government agencies and instrumentalities, including local government units, shall align their respective computerization projects with the priorities identified in the GISP. The ITECC shall prepare a consolidated annual program of expenditures for government computerization, which shall become part of the President’s Annual Expenditure Program for submission to Congress.

Section 3. *Implementing Rules and Regulations.* ITECC shall issue such guidelines as may be necessary to implement this Executive Order.

Section 4. *Repealing Clause.* All orders, directives, issuances, resolutions, rules and regulations or parts thereof that are inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

Section 5. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila, this 12th day of July, in the year of our Lord Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 266
APPROVING AND ADOPTING THE PHILIPPINE PLAN OF ACTION
FOR OLDER PERSONS, 1999-2004

WHEREAS, Article XIII, Section 11 of the 1987 Philippine Constitution states that “The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the underprivileged sick, elderly, disabled, women and children. The State shall endeavor to provide free medical care to paupers.” It is also stated in Article XV that “The family has the duty to take care of its elderly members but the State may also do so through just program of social security.”

WHEREAS, every effort is being exerted by concerned departments, bureaus, offices, agencies or instrumentalities of the government including government owned or controlled corporations and local government units and non-government organizations to ensure that older person’s rights are upheld, their needs and concerns are addressed, their roles as active participants in nation building are fully recognized.

WHEREAS, by virtue of its membership in the Economic and Social Commission for Asia and the Pacific (ESCAP), the Philippines is committed to implement the actions agreed upon in the Macau Declaration and Plan of Action on Ageing for Asia and the Pacific.

WHEREAS, a Technical Working Group, spearheaded by the Department of Social Welfare and Development (DSWD) formulated the 1999-2004 Philippine Plan of Action for Older Persons (PPAOP) which contains the country’s vision for the upliftment and development of older persons and which shall serve as the main instrument in implementing our international commitments.

WHEREAS, the Plan addresses the eight (8) areas of concerns related to population ageing in the Philippines, namely: a) Older Persons and the Family; b) Social Positions of Older Persons; c) Health and Nutrition; d) Housing Transportation and the Built Environment; e) Income Security, Maintenance and Employment; f) Social Services and the Community; g) Continuing Education/Learning Among the Older Persons; and h) Older Persons and the Market.

WHEREAS, the Philippine Plan of Action for the Older Persons was approved by the Joint Social Development Committee Cabinet Level and Cabinet Cluster C on the 15th of September 1999.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby approve and adopt the “Philippine Plan of Action for Older Persons, 1999-2004,” as the country’s blueprint to institute appropriate policies, strategies, programs and projects for older persons, and order the following:

SECTION 1. Creation of an Inter-Agency Committee. There is hereby created an Inter-Agency Committee chaired by the Department of Social Welfare and Development (DSWD) and co-chaired by the Department of Finance (DOF) to oversee, coordinate, monitor and evaluate the implementation of the Philippine Plan of Action for Older Persons. The Committee shall also review and regularly update

the Plan and be responsible for the widest possible dissemination of information about the Plan. The Committee shall include as members the following agencies;

- a). National Economic and Development Authority
- b). Department of Education, Culture and Sports
- c). Department of Health
- d). Department of Science and Technology
- e). Department of Interior and Local Government
- f). Department of Labor and Employment
- g). Department of Trade and Industry
- h). Housing and Urban Development Coordinating Council
- i). Government Service and Insurance System
- j). Social Security System
- k). National Anti-Poverty Commission
- l). Philippine Information Agency
- m). Coalition of Services of the Elderly
- n). Federation of Senior Citizens Associations of the Philippines
- o). Philippine Retirement Authority
- p). Philippine Retirement Authority Members Association

SEC. 2. An appropriate focal point for older persons' concerns or any other similar mechanisms shall be instituted in each concerned department, bureau, office, agency or instrumentality of the government, including government-owned or controlled corporations and local government units, to ensure the implementation and monitoring of the Plan, review and updating of programs and projects identified for each agency.

SEC. 3. The Committee is hereby authorized to call upon any department, bureau, office, agency or instrumentality of the National Government, including government-owned or controlled corporations and LGUs, to assist and ensure the full implementation of the programs and activities contained in the Plan.

SEC. 4. All government agencies are hereby enjoined to allocate necessary funds from other sources for the remainder of CY 2000 to support the implementation of the Plan. Appropriation for succeeding years shall be incorporated in the budget proposals for congressional action.

SEC. 5. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 17th day of July, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 267
CONSTITUTING THE PRESIDENTIAL EXECUTIVE TASK FORCE FOR RELIEF AND
REHABILITATION OF CENTRAL MINDANAO

WHEREAS, there is a need to have a dedicated inter-agency executive group which can expedite the implementation of programs in converged and unified manner of those programs which are already on the ground and those being planned;

WHEREAS, there is a necessity to urgently respond to the more immediate and urgent needs of the displaced population affected by armed conflicts in evacuation centers and in other places;

WHEREAS, there is a need to plan and implement the more immediate actions needed in the rehabilitation of communities since families who have started going back to their homes;

WHEREAS, there is a need to realign current department budgets as well as to ensure the rational inclusion of Central Mindanao relief and rehabilitation requirements in agency budget proposals for year 2001;

WHEREAS, there is a need to coordinate the existing civil society, private sector inputs, and international assistance in evacuation centers;

WHEREAS, there is a need to advocate for the participation of the private sector, civil society, and international donors in the rehabilitation of Central Mindanao;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the creation of the Presidential Executive Task Force for Relief and Rehabilitation of Central Mindanao.

SECTION 1. *Composition.* The Presidential Executive Task Force for Relief and Rehabilitation of Central Mindanao shall be composed of a Chairperson, two (2) Vice Chairpersons, the initially constituted Sub-Task Force Chairpersons, and members of the Sub-Task Forces. Other Sub-Task Forces may be constituted subsequently as required. Constituted Sub-Task Forces may be disbanded by the Chairperson in consultation with the Chairpersons and Sub-Task Force Chairpersons, when need no longer exists.

The Presidential Executive Task Force and Sub-Task Forces shall be composed of the following:

- | | |
|---|----------------------|
| .1. Edicio de la Torre
Technical Education and Skills Development Authority
(TESDA) | Chairperson |
| 1.2. Ma. Felicida L. Villareal
Department of Social Welfare and Development (DSWD) | Vice Chairperson |
| 1.3. James Lucman
Department of Agrarian (DAR) | Vice Chairperson |
| 1.4. Domingo F. Panganiban
Department of Agriculture (DA) | Sub-Task Force Chair |

- | | |
|--|----------------------|
| 1.5. Angelo F. Leynes
National Housing Authority (NHA) | Sub-Task Force Chair |
| 1.6. Mario Relampagos
Department of Budget and Management (DBM) | Sub-Task Force Chair |
| 1.7. Alexander Padilla
Department of Interior and Local Government (DILG) | Sub-Task Force Chair |
| 1.8. Joel Paredes
Philippine Information Agency (PIA) | Sub-Task Force Chair |

Sub-Task Force 1: Streamlining Evacuation Center Operations

Chairperson: Felicidad L. Villareal, Undersecretary, DSWD

Primary Task: In coordination with local chief executives, establish coordinating bodies at various levels, at least at municipal level. To coordinate efforts; facilitate and coordinate the provision of basic services, such as food, water, sanitation facilities, social services; ensure that primary schools are operating as well as courses in informal education for adults; ensure that basic infrastructure are humanely adequate; and ensure that basic health services are provided;

Members: Department of Social Welfare and Development (DSWD), Department of Health (DOH), Department of Education, Culture and Sports (DECS), Department of Public Works and Highways (DPWH), Department of Interior and Local Government (DILG), Technical Education and Skills Development Authority (TESDA), National Food Authority (NFA), Office of Civil Defense (OCD), Department National Defense (OCD-DND).

Sub-Task Force 2: Meeting Minimum Basic Needs in Rehabilitation

Chairperson: Felicidad L. Villareal, Undersecretary, DSWD

Primary Task: In coordination with local chief executives, facilitate the development of an operational action plan to meet the immediate and urgent basic physical infrastructure needs of targeted communities; coordinate the efforts of agencies, NGOs, private sector in the provision of minimum basic needs of families and communities; facilitate the establishment/maintenance of needed social systems

Members: Department of Social Welfare and Development (DSWD), Department of Health (DOH), Department of Education, Culture and Sports (DECS), Department of Public Works and Highways (DPWH), Department of the Interior and Local Government (DILG), National Housing Authority (NHA), National Food Authority (NFA), Local Water and Utilities Administration (LWUA), National Electrification Administration (NEA).

Sub-Task Force 3: Production and Marketing

Chairperson: Domingo F. Panganiban, Undersecretary, DA

Primary Task: In coordination with local executives, facilitate the provision of basic production inputs such as seeds, livestock, draught animals, appropriate basic machineries, postharvest facilities, farm-to-market roads, etc.; provide technical assistance for production and marketing.

Member: Department of Agriculture (DA), Department of Environment and Natural Resources (DENR), Department of Agrarian Reform (DAR).

Sub-Task Force 4: Housing and Infrastructure Rehabilitation

Chairperson: Angelo F. Leynes, General Manager, NHA

Primary Task: In coordination with local executives, facilitate the immediate development of a settlement plan, with priority construction of two types of housing, namely core shelters which are immediately needed by displaced returnees and socialized housing scheme; coordinate with other agencies to facilitate the construction of other needed infrastructure, such as sewerage, etc.

Members: National Housing Authority (NHA), Department of Public Works and Highways (DPWH), Department of Environment and Natural Resources (DENR), Department of Agrarian Reform (DAR), Department of the Interior and Local Government (DILG), Department of Science and Technology (DOST), Cooperative Development Authority (CDA), Technical Education Skills Development Authority (TESDA), Department of Social Welfare and Development (DSWD), Philippine Information Agency (PIA).

Sub-Task Force 5: Community-based Livelihood and Enterprise Development

Chairperson: Edicio dela Torre, Director General, TESDA

Primary Task: In coordination with local chief executives, facilitate the assessment and development of an action plan which will focus on providing communities with the necessary technological and/or business management skills to engage in business, the scale of which are suited to their capacities and gradually growing in scale as they move along in skills acquisition.

Members: Technical Education and Skills Development Authority (TESDA), Department of Trade and Industry (DTI), Department of Agriculture (DA), Department of Social Welfare and Development (DSWD), Department of the Interior and Local Government (DILG), Livelihood Corporation (LIVECOR), Quedan and Rural Credit Guarantee Corporation (QUEDANCOR), Technology and Livelihood Resource Center (TLRC), Cooperative Development Authority (CDA).

Sub-Task Force 6: Financing Support

Chairperson: Mario Relampagos, Undersecretary, DBM

Primary Task: Ensure that programs which are already funded through the GAA or as realigned in various departments are given priority in releases from DBM; ensure that the year 2001 budget proposals of Central Mindanao are incorporated in the year 2001 budget proposals of agencies; ensure that these are specifically targeted according to approved plans in the Presidential Executive Task Force; provide technical assistance in financing of programs, particularly those related to low-cost housing and other such programs which may require multi-source of funds, and generate funds or help identify sources of funds both locally as well as from ODA sources.

Member: Department of Budget and Management (DBM), Department of Finance (DOF), National Economic and Development Authority (NEDA), Development Bank of the Philippines (DBP), Peoples Credit and Finance Corporation (PCFC), ERAP Trust Fund (ETF).

Sub-Task Force 7: Restoration and/or Strengthening Governance Systems

Chairperson: Alexander Padilla, Assistant Secretary for Local Government, DILG

Primary Task: Coordinate efforts at national and local government levels to ensure that peace and order is maintained in and around the areas of operation of relief and rehabilitation; strengthen

the primacy of civilian rule; ensure the participation of the civilian population in matters related to establishment of governance systems in general.

Members: Department of the Interior and Local Government (DILG), Philippine National Police (PNP), Department of National Defense (DND).

Sub-Task Force 8: Information, Communication and Education

Chairperson: Joel C. Paredes, Director-General, PIA

Primary Task: Develop and implement communications plan, ensuring that the population, the agencies and other stakeholders are appropriately informed of developments related to the relief and rehabilitation efforts in Central Mindanao.

Members: Philippine Information Agency (PIA), Designated Information Officers of all Departments of the Sub-Task Forces.

SEC. 2. Functions. The Task Force shall have the following functions:

2. Coordinate with various government implementing agencies and other instrumentalities to expedite the implementation of short to medium term programs and projects;
Coordinate all concerns/requirements with various government agencies and non-government sectors to facilitate and ensure effective recovery and rehabilitation of families displaced by the armed conflict in Central Mindanao;
- 2.3. Within two weeks after the issuance of this Order, prepare a master plan of operations defining the specific target areas and families, integrated programs and services to be delivered in two (2) phases. Such master plan should contain plans for streamlining operations in evacuation centers and initial stages of rehabilitation;
- 2.4. Constitute and ensure functionality of various committees as provided for in Section 1;
Constitute a Technical and Operations Action Team composed of staff of the member-agencies to be seconded for purposes of ensuring implementation of the approved master plan of operations;
Formulate a monitoring and evaluation system;
Ensure the availability of resources required for purposes of implementing the master plan of operations;
Mobilize or generate resources from the private sector as it may deem necessary and appropriate;
- 2.9. Ensure the integration of the sustainability of the response programs through their integration in the national and local government plans;
- 2.10. Ensure proper and appropriate dissemination of information regarding the conditions of effected families;
Submit regular accomplishment reports to the President; and,
Perform such other functions as may be assigned from time to time by the President.

SEC. 3. Institutional Relationships. Functioning as a special staff to the President, the President Executive Task Force for Relief and Rehabilitation in Central Mindanao reports directly to the President. It coordinates with related bodies of government concerning relief and rehabilitation of Central Mindanao.

SEC. 4. *Secretariat and Administrative Support.* Sub-Task Force Chairpersons are hereby authorized to detail the necessary staff from their respective Departments to provide secretariat and administrative support for their respective Sub-Task Forces.

The National Secretariat will be constituted to serve the secretariat and administrative needs of the Task Force as a whole.

The member-agencies shall ensure the provision of secretariat complement at their respective offices whose funds shall be drawn from the budget of the respective agencies.

SEC. 5. *Funding.* To augment the operational requirements of the Task Force as a whole, funds will be provided through the Office of the President.

6. *Effectivity.* This Executive Order shall take effect immediately upon approval.

DONE in the City of Manila, this 17th day of July, in the year of our Lord, two thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 268
CREATING THE NATIONAL ANTI-CORRUPTION COMMISSION AND ABOLISHING
THE PRESIDENTIAL COMMISSION AGAINST GRAFT AND CORRUPTION
CREATED UNDER EXECUTIVE ORDER 151, S. 1994, AS AMENDED

WHEREAS, it has always been the avowed policy of the State, as enshrined in the constitutional principle that a public office is a public trust, to promote and maintain honesty and integrity in public service and to repress acts of public officers and private persons alike which constitute graft and corrupt practices or which may lead thereto;

WHEREAS, corrupt practices at all levels of the government are rooted in the past, have branched out and syndicated in the executive, legislative, and judicial branches of the government, and have become more serious and complicated with the involvement of several mass media practitioners in the process;

WHEREAS, despite the existence of many laws against graft and corruption, and the agencies legally and/or constitutionally mandated to enforce these laws, corruption remains prevalent and at times criminally aggressive thereby posing a very serious problem to the country and threat to the moral fabric of the Philippine society;

WHEREAS, the present Administration seriously wants to put an end to graft and corruption which poses a very dangerous threat to the moral and political existence of the Philippines as a nation;

WHEREAS, new and effective administrative mechanisms designed to eradicate corruption and implement state policy at the national level for the prevention and control of corruption are therefore imperative and needs to be urgently established;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of powers vested in me by the Constitution, do hereby order the following:

SECTION 1. ORGANIZATION. There is hereby created a National Anti-Corruption Commission, hereinafter referred to as the Commission, to implement and coordinate policy at the national level for the prevention, control of and ultimately, elimination of graft and corrupt practices at all levels in government by public officers and private persons alike. Acts or omissions constituting graft and corrupt practices shall be as defined by Republic Act No. 3019, as amended, or as declared unlawful by other existing laws. The Presidential Commission Against Graft and Corruption created and provided for under Executive Order No. 151 dated 11 January 1994, as amended, is hereby abolished.

SEC. 2. COMPOSITION OF THE COMMISSION. The Commission shall be headed by a full-time Chairman, who shall be assisted by four (4) full-time Commissioners. They shall be appointed by the President from a list of nominees, known and recognized for moral uprightness, probity and independence, proven competence, and recognized expertise in their fields related as much as possible to the functions of the Commission as cited in this Executive Order. All five (5) of them shall be drawn from the public and private sectors.

The Chairman shall have the rank, emoluments, and privileges of a Cabinet Secretary or its equivalent. The Commissioners, on the other hand, shall have the rank, emoluments, and privileges of an Undersecretary or its equivalent.

In no case shall any member of the Commission appoint representatives to act on behalf.

SEC. 3. THE SECRETARIAT. The Commission shall be initially assisted by an interim secretariat placed at its disposal by the Development Academy of the Philippines (hereinafter “DAP”). DAP interim secretariat shall serve as such until a regular organic secretariat shall have been organized by the Commission. The secretariat, interim and regular, shall also be composed of individuals of known moral probity and dedication to public service.

The Secretariat shall provide technical and administrative support to the Commission and shall be headed by an Executive Director.

The Executive Director shall be appointed by the Chairman. He or she shall *inter alia* execute and administer the policies and decisions of the Commission, attend the Commission’s deliberations, monitor the implementation of the programs thereof, and manage the day-to-day operations thereof.

In filing the positions for the interim secretariat of the Commission, the employees of the abolished Presidential Commission Against Graft and Corruption (PCAGC) may be considered provided that they are especially qualified and have demonstrated moral probity and dedication to public service without interruption of continued government service.

PCAGC employees who will not be reconsidered shall be entitled to separation and retirement benefits provided under RA 8291, otherwise known as The GSIS Act of 1997, and other existing retirement rules and laws.

SEC. 4. FUNCTIONS OF THE COMMISSION. The Commission shall perform the following functions.

Formulate and implement a national anti-corruption framework and program strategies and a corresponding action agenda of the government in consultation with government agencies, private sector, and civil society organizations;

Implement and coordinate policies aimed at preventing and combating corruption at all levels in the government and preventing conflicts of interest;

Undertake policy analysis and shepherd the passage of appropriate legislation geared towards the prevention, control, and elimination of corruption for submission to and consideration by the President, who shall certify to Congress as urgent appropriate legislative proposals that are vital to the anti-corruption program;

Monitor the performance of government agencies in the implementation of the action agenda, provide policy advise thereto, and establish a centralized database for these purposes;

- e. Identify and investigate shortcomings and weaknesses in the organization and management of public administrators and enterprises that could facilitate the commission of acts and misconduct covered by the existing laws against graft and corruption and advise government departments/agencies, offices and local government units on anti-corruption strategies and procedures for implementation;

Pre-screen and clear appointees to be confirmed by the Commission on Appointments upon request of the President.

Conduct sustained information and education drives aimed at preventing corruption and public misconduct;

Organize specialized training of staff members of the Commission and representatives of private sector and civil society in the prevention, investigation, and prosecution of graft and corrupt practices;

Centralize information regarding acts and misconduct communicated to it by the policy services and public authorities and by persons responsible for auditing the accounts or sent to it by private individuals;

Investigate or hear, *motu proprio* or on complaint filed with it in any form or manner, charges, reports, or information involving the possible violation of graft and corrupt practices at all levels in government by public officers and private persons alike;

- k. Endorse to the Office of the Ombudsman or the Department of Justice for prosecution, any matter that the Commission, after investigation upon complaint by any person or at its own instance, shall find to constitute graft and corrupt practices;

Forward to judicial authorities any records, documents or information in its possession that the latter shall request in the course of hearing and deciding acts that may constitute graft and corrupt practices;

- m. Render a periodic report on the progress of the anti-corruption program to the President, Congress and the general public, with the end in view of providing all sectors a balanced and objective report on graft and corruption;

- n. Absorb the functions and exercise the jurisdiction and powers of the Presidential Commission Against Graft and Corruption created and provided for under Executive Order No. 151, dated January 11, 1994, which for this purpose, is hereby abolished.

SEC. 5. POWERS OF THE COMMISSION. The Commission shall have the following powers:

The Commission is hereby granted the powers of an investigating body under Section 37, Chapter 9, Book I of the Administrative Code of 1987 including the power to summon witnesses, administer oaths, take testimony or evidence relevant to its investigation, and to issue compulsory process to produce documents, books, records and such other matters, in the performance of its functions.

Any person who, without lawful excuse, fails to appear upon summons issued under the authority of the preceding paragraph or who, appearing before the Commission, refuses to take oaths, give testimony or produce documents for inspection, when thereunto lawfully required, shall be subject to discipline as in the case of contempt of court upon application of the Commission before the proper court, in the manner provided by law.

- b. The Commission may, in coordination with the Commission on Elections (COMELEC), verify the observance of the ceiling on electoral expenditure and the accuracy of the election campaign accounts, assist in the investigation of palpable and massive electoral fraud and monitor the actions of the different boards of canvassers during elections.

The Commission may examine the execution of public contracts as to both tendering and results.

The Commission may verify that award of public works and supply contracts and the assignment of operations by the public authorities are conducted in a proper and honest manner.

- e. The Commission may undertake a lifestyle check on any public officer/employee. In this regard, the Commission:

-
- May request for copies of statement of asset and liabilities and income tax return of any person holding public office;
- May require a person holding public office to reveal the source of his property, wealth, assets and interests, as well as those of his or her spouse, departments and relatives, in accordance with law;
- May require submission, by the person acting as its depository, of the register of declarations of gifts received by persons holding public offices;
4. In case of reasonable suspicion regarding the above, the Commission may seek to establish the reliability of such declarations in cooperation with relevant national bodies.
- The Commission may seek the cooperation of the private sector, civil society, and other bodies (local and international) undertake anti-graft and corruption programs.
- g. The Commission shall coordinate with the Inter-agency Anti-Graft Coordinating Body for the purpose of effectively implementing this Executive Order.

SEC. 6. OFFENSES COVERED. For purposes of this Executive Order, the Commission shall have jurisdiction to investigate possible violations of any of the following:

- a) Republic Act No. 3019, as amended, otherwise known as the “Anti-Graft and Corrupt Practices Act”;
- (b) The provisions of Republic Act No. 1379 on the unlawful acquisition of property by a public officer or employee;
- (c) Republic Act No. 6713, otherwise known as the “Code of Conduct and Ethical Standards for Public Officials and Employees”;
- Section 46 (b) (1) to (6), Book V, Subtitle A, Chapter 6 of Executive Order No. 292, series of 1987, otherwise known as the “Administrative Code of 1987”;
- Any provision under Title Seven of the Revised Penal Code on Crimes Committed by Public Officers;
- Executive Order No. 226, series of 1995;
- Any other relevant law, executive orders, rules or regulations.

SEC. 7. The Commission shall promulgate or adopt its rules of procedure for the effective implementation of this Order.

SEC. 8. TOTAL SUPPORT OF OTHER GOVERNMENT UNITS. The Commission may call upon any government investigative and prosecutorial agencies, including the National Bureau of Investigation and the Philippine National Police, to make available their offices, personnel and facilities to attain the objectives of this Executive Order. The departments, bureaus, offices, agencies, or instrumentalities including government-owned and controlled corporations are hereby directed to extend such assistance and cooperation including detail and/or deputization of personnel as the Commission may need in the discharge of its functions.

SEC. 9. REFERRAL TO THE COMMISSION. All offices, committees, commissions, bureaus, departments, and government-owned and controlled corporations in the Executive Department are hereby directed to refer immediately to the Commission any complaint, charge, report, or information of corruption against presidential appointees and non-presidential appointees referred to under Section 4 of this Executive Order. Such referral shall include not only the complaint, report or information but also certified copies of all relevant and pertinent records of the case.

SEC. 10. ORGANIZATIONAL UNITS AND STAFFING. The Commission may create organizational units necessary for the performance of its functions, subject to relevant laws, rules and regulations. Such units shall be staffed by duly qualified personnel appointed by the Executive Director upon approval of the Chairman.

The Commission is also authorized to engage the services of resource persons, professionals and other personnel, known for moral uprightness, probity and independence including a Commission Counsel, Deputy Commission Counsel(s) or such other officials as may be required for the effective performance of its functions and responsibilities, to fix their duties and compensation, to organize the structure and staffing pattern of the Commission; and to authorize the payment of honoraria and/or allowances for deputized/detailed officers and officials.

The Commission shall be exempted from Administrative Order No. 100, series of 1999. It may hire, at its discretion, new personnel whether on a permanent, temporary, substitute, contractual, or casual status.

SEC. 11. COMPENSATION. The Commission shall prepare its salary schedule in consultation with the Department of Budget and Management.

SEC. 12. TRANSITORY PROVISIONS. The interim secretariat referred to under Section 3 of this Executive Order shall establish the regular secretariat and ensure the orderly transition to the Commission within one (1) year upon approval of this Executive Order.

All the records, facilities, equipment, property, rights, and such other things arising from and incidental to the creation of the Presidential Commission Against Graft and Corruption are hereby transferred to the Commission.

SEC. 13. APPROPRIATIONS. The Commission shall have an initial budget of FORTY MILLION PESOS (P40,000,000.00) which shall partly be drawn from the remaining budget of the abolished Presidential Commission Against Graft and Corruption and from the Organizational Adjustment Fund. Appropriations for the succeeding years shall be incorporated in the budget proposal for the Office of the President.

SEC. 14. REPEALING CLAUSE. All orders, issuances, rules and regulations or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 15. EFFECTIVITY. This Executive Order shall take effect immediately.

Done in the City of Manila, this 18th day of July, in the year of Our Lord, two thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 269
PROVIDING FOR THE WINDING-UP OF THE MT. PINATUBO ASSISTANCE,
RESETTLEMENT AND DEVELOPMENT COMMISSION

WHEREAS, the life of the Mt. Pinatubo Assistance, Resettlement and Development Commission (the Commission) is due to expire and it is essential that provisions be made to wind-up the Commission;

WHEREAS, the Department of Budget and Management is in the best position to oversee and implement the winding-up of the Mt. Pinatubo Commission;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order and direct as follows:

Section 1. The Secretary of Budget and Management or his representative shall henceforth act as Chairman of the Executive Committee of the Mt. Pinatubo Commission in lieu of the Secretary of Finance, who shall continue to be a member of the Commission. The DBM shall provide the secretariat for the Commission from its existing personnel complement. The Secretary of Budget and Management shall immediately prepare for the winding-up of the Mt. Pinatubo Commission. Except for the foregoing changes, the membership of the Commission shall be maintained without need of another appointment.

Section 2. The Department of Budget and Management shall supervise the winding up of the activities of the Commission. After the life of the Commission expires, the term of the members thereof shall immediately terminate. However, the government representatives to the Commission shall continue to meet as an interagency committee for a period not exceeding one (1) year for the sole purpose of assisting the Department of Budget and Management in winding-up the Commission.

Section 3. In pursuance of the foregoing mandate, the Secretary of Budget and Management may require the Commission to submit such data, records and documents to the Department of Budget and Management, and may seek the assistance of the different government agencies represented in the Commission.

Section 4. This Order shall take effect immediately.

DONE in the City of Manila, this 19th day of July, in the year of Our Lord, Two Thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

(Sgd.) **RONALDO B. ZAMORA**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 270

EXTENDING UP TO SEPTEMBER 30, 2000 THE IMPLEMENTATION OF THE “WINDING UP” OF OPERATIONS OF THE CORDILLERA ADMINISTRATIVE REGION (CAR-PROPER) AS PROVIDED UNDER THE AGENCY’S SPECIAL PROVISIONS IN THE GENERAL APPROPRIATIONS ACT (GAA) FOR FISCAL YEAR 2000

WHEREAS, Executive Order No. 220, series of 1987, created the Cordillera Administrative Region (CAR) to administer the affairs of government in the region, accelerate the economic and social growth and development of the units thereof and prepare the establishment of the autonomous region in the Cordillera;

WHEREAS, the Special Provisions in the GAA for CAR for FY 2000 mandates that the amounts appropriated for CAR shall be used to wind up the activities of the Cordillera Administrative Region, including the separation and retirement benefits of all affected officials and employees; Provided, that any deficiency in the amount for payment of terminal leave and retirement gratuity benefits shall be taken from the Miscellaneous Personnel Benefits Fund;

WHEREAS, Republic Act No. 6656 recognizes the need to protect the security of tenure of civil service officers and employees in the reorganization process without sacrificing the promotion of morale, efficiency, integrity, responsiveness, progressiveness, and courtesy in the civil service, pursuant to Article IX, B, Section 3 of the Constitution;

WHEREAS, the winding up of CAR and the final disposition of its personnel, assets and liabilities require inter-agency coordination for its smooth and orderly implementation;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law do hereby order:

SECTION 1. Creation of Special Task Force. A Special Task Force is hereby created to be chaired by the Executive Secretary, with the Secretary of Budget and Management, the Chairman of the Cordillera Regional Assembly and the Executive Director of the Cordillera Executive Board as members, that shall provide policy guidelines for, and oversee, the final disposition of personnel, functions, assets and liabilities of the CAR.

SEC. 2. Transfer or Re-employment of CAR Personnel. CAR personnel shall be given priority in hiring for existing vacant positions in other government agencies, subject to compliance with established qualification standards set by the receiving agencies. The transfer to or re-employment of CAR personnel with other agencies shall be exempt from the prohibition on new hiring under Administrative Order No. 100 dated December 1, 1999.

SEC. 3. Separation or Retirement of CAR Personnel. All CAR personnel qualified for retirement may elect optional retirement as they may deem proper. All benefits, including payment of accrued leave credits, that may lawfully be given to CAR employees by virtue of their transfer, retirement or separation from service shall be paid within one (1) month from the filing of the necessary clearances and other pertinent documents.

SEC. 4. Transfer of Assets and Liabilities. All assets and liabilities of CAR are hereby transferred without cost to the Presidential Adviser for Regional Concerns (PARECO) pending appropriate final disposition.

SEC. 5. Extension of Period. The Special Task Force, in coordination with other concerned agencies is hereby given until September 30, 2000 within which to fully implement the deactivation of CAR. It shall be assisted by a skeletal force consisting of personnel occupying positions listed in Annex "A" hereof for the task of winding up of CAR operations and the safekeeping of its resources. Unless otherwise transferred to other agencies, members of the skeletal force will be deemed separated from the service due to abolition of position pursuant to *bona fide* reorganization effective September 30, 2000.

SEC. 6. Support of Other Agencies. The Special Task Force may request assistance from the Civil Service Commission and the Commission on Audit and such other agencies as may be necessary to assist in the smooth implementation of this Order.

SEC. 7. Funding Requirements. Funds for existing vacant positions in other agencies to be filled up by CAR personnel and for the skeletal force shall be sourced from agency savings or upon request, augmented by the Department of Budget and Management (DBM). The DBM shall give preference to the payment of accrued leave credits, separation and retirement benefits to CAR personnel from the Miscellaneous Personnel Benefits Fund.

SEC. 8. Final Report. The Special Task Force shall submit its final report and recommendation on the deactivation of CAR to the President not later than September 30, 2000.

SEC. 9. Separability Clause. Any portion or provision of this Executive Order that may be declared unconstitutional shall not have the effect of nullifying other portions or provisions of the Order for as long as such remaining portions can still subsist and be given effect.

SEC. 10. Repealing Clause. All executive orders, rules, regulations and other issuances or parts thereof which are inconsistent with the provisions of this Executive Order are hereby revoked or modified accordingly.

SEC. 11. Effectivity. This Executive Order shall take effect immediately.

Done in the City of Manila, this 20th day of July, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
RONALDO B. ZAMORA
Executive Secretary

Reference: Annex A

Source: Presidential Management Staff

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 271
INSTITUTIONALIZING THE CONDUCT OF WRITTEN QUALIFYING EXAMINATIONS
FOR PERSONNEL OF THE BUREAU OF INTERNAL REVENUE AND BUREAU OF CUSTOMS

WHEREAS, there is an urgent and compelling need for improved and efficient revenue collection as an indispensable means to support the economic development and growth of the Philippines,

WHEREAS, as a means of achieving this objective, it is imperative that the effectiveness and efficiency of the government agencies tasked to implement the revenue collection system and to take custody of government revenues be constantly improved and enhanced,

WHEREAS, the task of enhancing the effectiveness and efficiency of such government agencies can be accomplished through, among others, the implementation of needed institutional reforms in the evaluation and assessment of competency and proficiency,

WHEREAS, one of the issues on governance raised by the Donor Countries in attendance at the Coordinating Group Conference held last June 19 to 20, 2000 in Tagaytay City, is the strengthening of revenue institutions and their capacity to effectively achieve their missions,

WHEREAS, the support of said Donor Countries in the country's development efforts is contingent, in part, in the implementation and institutionalization of such institutional reforms and capacity-enhancing measures,

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Conduct of the Competency Examinations. (1) Periodic Written Competency Examinations shall be conducted by the following attached agencies of the Department of Finance: the Bureau of Internal Revenue and the Bureau of Customs.

(2) The competency Examinations shall be conducted for the objectives and comprehensive evaluation of the competency and proficiency of personnel and officers of the aforesaid Agencies.

(3) Field personnel, and line officials of the concerned Agencies up to Regional Director level shall be required to take the Competency Examinations.

The Competency Examinations shall be composed of two (2) phases, namely:

The written Technical and Managerial (for line officials) Examinations; and
The Cognitive Aptitude and Personality Tests.

SECTION 2. Examination Results. (1) The results of these Examinations shall be used to aid the continuing assessment of the training and orientation requirements of each Agency, particularly with regard to foreign-assisted training.

(2) The examination results shall likewise form part of the employee records of all examinees, and could be used as one of the criteria in the selection of candidates for promotion in each of the concerned Agencies.

(3) Examinations results shall be considered as confidential information that shall not be revealed without the written approval of the Head of Agency concerned.

SECTION 3. Implementing Authority. (1) The Department of Finance shall administer the Competency Examinations for each of the aforesaid Agencies, under the supervision of an Undersecretary of Finance to be named by the Secretary of Finance.

(2) A Board of Examiners for each Agency composed of taxation and customs experts, as the case may be, from the private sector shall be tasked to prepare the questions for the Written Technical and Managerial Examination Phase of the Competency Examinations for each concerned Agency.

(3) The Commissioner of Internal Revenue and the Commissioner of Customs shall prepare and implement the appropriate issuances necessary to ensure the efficient conduct of a Competency Examination for their respective Agencies.

SECTION 4. Effectivity. This Executive Order shall take effect immediately.

Done in the City of Manila, this 21st day of July, in the Year of our Lord, two thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

(Sgd.) **RONALDO B. ZAMORA**

Executive Secretary

Source: Presidential Management Staff

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 272

AUTHORIZING THE COMMISSIONER OF CUSTOMS TO APPROVE PUBLIC SALE OF FORFEITED GOODS UNDER SECTION 2601 TO 2612 OF THE TARIFF AND CUSTOMS CODE OF THE PHILIPPINES, SUBJECT TO MONITORING BY THE SECRETARY OF FINANCE

WHEREAS, EO 56 requires the approval by the Secretary of Finance of items/lots sold through public bidding or any change in the minimum bid price;

WHEREAS, there is a need to facilitate the sale of forfeited articles to decongest the storage facility of the Bureau of Customs while at the same time improving transparency in the sale of these goods;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law do hereby order:

SECTION 1. No article subject to sale under Section 2601 to 2612 of the Tariff and Customs Code shall be sold unless the Commissioner of Customs has approved the list of lots/items and their corresponding minimum bid price. Provided that lots/items with a minimum bid price of P50 Million shall not be sold unless approved by the President upon the recommendation of the Secretary of Finance.

SEC. 2. Only two public biddings within ten (10) days of each other shall be held for the lots/items approved by the Commissioner of Customs for sale. Any change in the minimum bid price shall be subject to the approval of the Commissioner of Customs.

The Commissioner of Customs shall submit to the Secretary of Finance quarterly report of lots/items sold. The Secretary of Finance may further monitor the auction or sale of forfeited goods and notify the Commissioner of Customs of any aspect of the sale that needs to be improved or modified. Whereupon, the Commissioner of Customs shall submit such recommendation necessary to improve or modify the sale of forfeited goods in accordance with Tariff and Customs Code.

SEC. 3. Executive Order No. 56 is hereby repealed. All executive orders, administrative orders, proclamations, rules and regulations or parts thereof that are inconsistent with this Order are likewise repealed or amended.

SEC. 4. If any provision of this Executive Order shall be held unconstitutional, the other provisions shall not be affected.

Done in the City of Manila, this 7th day of August, in the year of our Lord two thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

(Sgd.) **RONALDO B. ZAMORA**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 273
INSTITUTIONALIZING THE SYSTEM OF NATIONAL COORDINATION, ASSESSMENT,
PLANNING AND MONITORING OF THE ENTIRE EDUCATIONAL SYSTEM

WHEREAS, the Presidential Commission on Educational Reform, or PCER, was created in 1998 to continue and build on the work of the 1991 Congressional Commission on Education (otherwise known as EDCOM) to further strengthen the role of education in accelerating national development and global competitiveness;

WHEREAS, the major recommendations of the EDCOM have caused the restructuring and trifocalization of the management of the country's educational system;

WHEREAS, this trifocalization has led to greater focus and depth in the planning and implementation of development programs of the co-equal education sub-sectors-namely, basic education, technical education and skills development and higher education, thus resulting in the enhancement of the capabilities of these three (3) sub-sectors to achieve their respective mandates;

WHEREAS, PCER studies point out, as EDCOM anticipated, that the salutary effects of trifocalization of education notwithstanding, there are perceived concerns and issues arising from possible overlaps and gaps as well as inconsistencies in and non-alignment of policies, plans and programs; and

WHEREAS, in order to ensure effective coordination, planning and allocation of scarce resources among the three subsectors of education and training, PCER reiterates and adopts EDCOM's recommendation to put in place a National Coordinating Council for Education (NCCE).

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Creation and Composition of the Council.* The National Coordinating Council for Education (NCCE) is hereby created and attached to the Office of the President for administrative purposes, to be composed of the following:

<i>Secretary</i> , Department of Education, Culture & Sports (DECS or DBE)	- Member
<i>Chairman</i> , Commission on Higher Education	- Member
<i>Director-General</i> , Technical Education and Skills Development Authority	- Member

It shall be chaired by the members on a rotating basis for a term of two (2) years each.

SEC. 2. *Participation of other Sectors.* As the need arises, the Council may invite as resource persons the Secretaries of NEDA, DBM, DOST and DOLE as well as the participation of representatives from the education, business and other sectors, both public and private and non-governmental organizations, which have direct stakes in education to ensure broad-based consultations and proper dissemination of information and advocacy.

SEC. 3. *Mandates and Functions.* - The Council shall discharge responsibilities in accordance with the following specific mandates:

- to serve as the regular forum for trans-subsectoral consultations on cross-cutting policies and programs;
- to harmonize goals and objectives for the entire education system and to dovetail them to national development plans;
 - to review existing and proposed programs and projects for tighter inter-subsector coordination;
- to set priorities for the education system and recommend corresponding financial requirements;
- to pursue and monitor implementation of the reforms proposed by the Presidential Commission on Educational Reform (PCER);
 - to establish, oversee and monitor the implementation of the National Educational Evaluation and Testing System (NEETS) and its operations;
 - to designate and provide guidelines for Philippine representatives in international and national conferences/meetings with cross-cutting themes or concerns in education; and
 - to convene a biennial National Congress on Education for the purpose of assessing, updating/upgrading and strengthening of the educational system and its components.

SEC. 4. It shall be assisted by a small high-powered Secretariat whose main responsibility is to ensure the efficiency and effectiveness of the NCCE. It shall be composed of a Director, a permanent staff of five (5) and others seconded to the Council as needed from the three (3) member agencies.

SEC. 5. In the discharge of its functions and responsibilities, the NCCE may commission highly-qualified experts/specialists and/or education consultancy groups to provide specified services.

SEC. 6. It shall adopt its own internal operating rules and procedures and define the duties and responsibilities of the Secretariat, its staffing pattern, and compensation schedule.

SEC. 7. The NCCE shall submit an annual performance report to the President, as well as program and policy recommendations affecting the entire education system.

SEC. 8. In no case whatsoever shall the NCCE detract from the autonomy and independence of DECS, TESDA and CHED.

SEC. 9. Statistics for Educational Planning – For the purpose of carrying out the mandates of the NCCE, the National Statistics Office (NSO) is hereby directed to strengthen its core or basic unit responsible for the generation and analysis of education and training statistics and to systematize its operational links with the statistical units in the Department of Education, Culture and Sports, Commission on Higher Education and Technical Education and Skills Development Authority. The NCCE shall coordinate with the NSO in all matters pertaining to the generation, analysis, utilization and dissemination of all educational statistics and information.

SEC. 10. Government agencies are hereby directed to second and/or detail competent individuals to the NCCE as may be requested.

SEC. 11. The Council is directed to convene the first National Congress on the State of Philippine Education by 2001 in order to, among others, monitor the fulfillment of all the policy and program recommendations of both the EDCOM and the PCER.

SEC. 12. Initial Funding of the NCCE. – The sum of fourteen million pesos is hereby appropriated from the President's Social Fund for the initial mobilization and first year of operation of the NCCE. Thereafter, the sum of Ten Million Pesos (P10,000,000.00) shall be included in the General Appropriations Act.

SEC. 13. Repealing Clause. – All executive issuances inconsistent with this Executive Order are hereby repealed or amended accordingly.

SEC. 14. Effectivity. – This Executive Order shall take effect immediately.

Done in the City of Manila, this 7th day of August, in the year of Our Lord, two thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

(Sgd.) **RONALDO B. ZAMORA**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 274

AMENDING CERTAIN PROVISIONS OF EXECUTIVE ORDER NO. 395, DATED JANUARY 24, 1997 WHICH APPROVED AND ADOPTED THE NATIONAL ACTION AGENDA FOR PRODUCTIVITY AND CREATING THE PHILIPPINE COUNCIL FOR PRODUCTIVITY

WHEREAS, Executive Order No. 395 dated January 24, 1997 created the Philippine Council for Productivity (PCP) to oversee the implementation of the National Action Agenda for Productivity to accelerate the country's program for global excellence and international competitiveness;

WHEREAS, the Council is supported by a Joint Secretariat composed of the Department of Trade and Industry, Department of Labor and Employment/National Wages and Productivity Commission, and the Development Academy of the Philippines and headed by the National Economic Development Authority;

WHEREAS, the Council through its Resolution No. 1 dated 21 March 1997, created a Technical Committee composed of Undersecretaries or Second-in-Rank officials whose function, among others, is to implement and/or facilitate the implementation of policy and operational directives of the PCP;

WHEREAS, the Council undertook the study entitled "Institutional Structure for Productivity" which recommends that the National Wages and Productivity Commission and the Development Academy of the Philippines comprise the full-time secretariat of the Council, and that an Executive Committee be created to facilitate prompt and more responsive decision making on PCP and other productivity-related matters, thus replacing the existing Technical Committee;

WHEREAS, the Council approved the above-mentioned recommendations in its meeting last 24 February 2000;

WHEREAS, there is a need to amend E.O. 395 to implement the above-mentioned changes in the PCP structure;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby amend Executive Order No. 395, dated January 24, 1997, and order the following:

SECTION 1. Section 4 paragraph 3 is hereby amended as follows:

Technical and administrative support to the Council shall be provided by a full-time permanent Secretariat composed of the National Wages and Productivity Commission - Department of Labor and Employment (NWPC-DOLE) and the Productivity & Development Center - Development Academy of the Philippines (PDC-DAP).

SECTION 2. Creation of a PCP Executive Committee. A PCP Executive Committee is hereby created to facilitate timely decision making of the PCP. The PCP Executive Committee shall have the following functions and composition:

2.1 Functions of the PCP Executive Committee. The Executive Committee shall have the following functions:

- a) To facilitate implementation of policy and operational directives of the PCP;
- b) To review and evaluate policy recommendations of the Technical Working Groups (TWGs) and the Joint Secretariat, for endorsement to the PCP;
- c) To assist the PCP in monitoring the TWGs in the implementation of their sectoral plans;
- d) To recommend for approval of the PCP specific programs/activities necessary for the implementation of the NAAP; and
- e) To act on policy and operational matters as may be determined by the PCP Chair upon recommendation of the PCP Secretariat.

2.2 Composition of the PCP Executive Committee. The Executive Committee shall be composed of the following PCP members;

Director General of the National Economic and Development Authority
Executive Director of the National Wages and Productivity Commission
President of the Development Academy of the Philippines
President of the Philippine Quality and Productivity Movement
PCP Vice-Chairman for Business Sector
Chairman of the Labor Advisory and Consultative Council
Chairs of the PCP - Technical Working Groups

SECTION 3. Section 7 of E.O. 395 is amended as follows:

The budget of the PCP Secretariat and the PCP Executive Committee (PCP-ExCom) for the year 2000 shall be sourced from the remaining PCP budget for 2000 originally allocated for the activities of the PCP Joint Secretariat and Technical Committee, respectively, lodged in the NEDA budget. The NEDA shall release the funds in the form of cash advances to NWPC which shall in turn submit to NEDA a duly audited COA report on the utilization of the cash advances.

Henceforth, the budget for the operations of the Council, Executive Committee and Secretariat shall be incorporated in the budget of the NWPC-DOLE. However, the budget preparation and utilization of the PCP funds with respect to the allocation of the Council, the PCP-ExCom and the PCP Secretariat shall be determined through a mutual agreement by the PDC-DAP and NWPC-DOLE and recommended jointly through the PCP-ExCom to the Council Chair for approval.

The government agencies involved in the implementation of the Medium-Term National Action Agenda for Productivity (MNAAP) 2000-2004 shall continue to include in their respective budgets the necessary funds required for their productivity programs and activities.

SECTION 4. This Executive Order shall take effect immediately.

DONE, in the City of Manila, this 7th day of AUGUST, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 275

DIRECTING THE COMMITTEE ON SCIENTIFIC AND TECHNICAL COOPERATION WITH SOCIALIST COUNTRIES TO DELETE THE SOCIALIST REPUBLIC OF VIETNAM FROM THE LIST OF COUNTRIES COVERED BY LETTER OF INSTRUCTIONS NO. 444

WHEREAS, Letter of Instructions No. 444 dated 9 August 1976 has included the Socialist Republic of Vietnam in the list of socialist countries and other centrally-planned countries;

WHEREAS, the Socialist Republic of Vietnam has started to move towards an open economy and is committed to liberalize its markets and integrate into the global market economy;

WHEREAS, the Socialist Republic of Vietnam is now a member of the Association of Southeast Asian Nations (ASEAN) and the Asia-Pacific Economic Cooperation (APEC), and is in the process of accession to the World Trade Organization;

WHEREAS, it is the policy of the Government to develop and strengthen trade relations with the Socialist Republic of Vietnam;

WHEREAS, a continued coverage of the Socialist Republic of Vietnam by Letter of Instructions 444 is no longer consistent with the country's national interest, as coursing trade between our countries through the Philippine International Trading Corporation is becoming an unnecessary barrier to trade.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

The Committee on Scientific and Technical Cooperation with Socialist Countries to remove the Socialist Republic of Vietnam from the list of countries covered by Letter of Instructions No. 444.

DONE in the City of Manila, this 30th day of August in the Year of Our Lord, Two Thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 276
MODIFYING THE NOMENCLATURE AND THE RATES OF IMPORT DUTY ON VARIOUS
PRODUCTS UNDER SECTION 104 OF THE TARIFF AND CUSTOMS CODE OF 1978
(PRESIDENTIAL DECREE NO. 1464, AS AMENDED)

WHEREAS, the reduction in the rates of duty on various products will provide the necessary assistance to domestic industries to be globally competitive;

WHEREAS, Section 401 of the Tariff and Customs Code of 1978, as amended, empowers the President to increase, reduce or remove existing rates of duty, as well as to modify the tariff nomenclature;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in “Annex A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the rates of import duty in accordance with the schedule indicated opposite each article.

SECTION 2. The nomenclature and the rates of import duty on tariff headings not enumerated and those listed but represented by the symbol “X X X” shall remain in force and effect.

SECTION 3. Upon the effectivity of this Executive Order, the articles specifically listed in the aforesaid “Annex” which are entered or withdrawn from warehouses in the Philippines for consumption shall be levied the rates of duty herein presented.

SECTION 4. All other Presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

SECTION 5. This Executive Order shall take effect thirty (30) days following the complete publication in two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, this 21st day of July, in the year of Our Lord Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 277
AMENDING EXECUTIVE ORDER NO. 261, SERIES OF 2000

WHEREAS, the Mindanao Coordinating Council (MCC) constituted by virtue of Executive Order (EO) No. 261, series of 2000.

WHEREAS, the MCC acts as the overall coordinating body to ensure the integration, synchronization and accelerated implementation of plans, programs and projects to rehabilitate Mindanao;

WHEREAS, the MCC is chaired by the President with the Executive Secretary as vice chair and representatives from national government agencies, private sector and regional development councils as members;

WHEREAS, there is a need to expand the composition of the MCC to enable it to more effectively carry out its functions.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order:

Section 1. Expansion of the Mindanao Coordinating Council. The composition of the MCC is hereby expanded to include the following:

Co-Chairperson	Vice President
Members	Secretary of National Defense
	Secretary of the Interior and Local Government

Section 2. Repealing Clause. All other executive issuances or portions thereof inconsistent with this order are repealed or modified accordingly.

Section 3. Effectivity. This Executive Order shall take effect immediately.

Done, in the City of Manila, on this 9th day of August 2000, in the year of our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
RONALDO B. ZAMORA
Executive Secretary

Source: Presidential Management Staff

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

MALACAÑANG RECORDS OFFICE

EXECUTIVE ORDER NO. 278

Based on the records available on file and in the possession of Malacañang Records Office, Executive Order No. 278 of Presidential Issuances of Joseph Ejercito Estrada was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 279
PROVIDING FOR TRAVELLING AND INCIDENTAL EXPENSES OF PRIVATE INDIVIDUALS
RELATIVE TO THE PROSECUTION OF CASES WHERE THE GOVERNMENT
IS A PARTY LITIGANT

WHEREAS, experience has shown that some of the witnesses involved in government cases are private individuals or are government officials/personnel who have already retired or left the government service during the pendency of such cases or even before the filing of necessary charges against erring officials/employees;

WHEREAS, the issue as to who will shoulder the travelling and other incidental expenses of these private individuals or of retired/resigned witnesses (who, in the meantime, have also become private citizens) relative to the prosecution of the cases comes to the fore;

WHEREAS, there is a need to provide guidelines for the provision of travelling and incidental expenses of these individuals whose testimony in court is material and indispensable.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Coverage. - This Executive Order shall apply to all private individuals including retired government personnel or those who have left the government service for other reasons but whose testimony in court is material and indispensable for the prosecution of cases where the Government is a party litigant.

SEC. 2. Travelling and Incidental Expenses of Private Individuals as Witnesses for the Government. - Necessary travel expenses, including actual and necessary expenses for subsistence may be allowed for witnesses for the Government whose testimony in the courts of justice is considered material and indispensable in the trial of any case, whether administrative, civil or criminal. These shall be charged against the funds of the Ombudsman or of the agency concerned for former agency personnel, or of the Commission on Audit in the case of former COA employees.

A person required by the Ombudsman to provide information shall be paid the same fees and travel allowances as are extended to witnesses whose attendance has been required in the trial courts. (Sec. 32, R.A. No. 6770, The Ombudsman Act of 1989).

In order to assure the appearance of the witness, the public prosecutor or attorney concerned shall previously apply therefor in writing to the court concerned. It having been shown that the testimony of the witness is material, said court shall order the issuance of summons.

SEC. 3. Funding requirements. - For the current year, funds to cover the transportation and incidental expenses referred to in the preceding section shall be sourced from agency savings or, upon request, augmented by the Department of Budget and Management. Thereafter, funding requirements shall be included in the regular appropriation of the agencies concerned.

SEC. 4. Repealing Clause. - All circulars, orders, memoranda, rules, regulations, and issuances or portions thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 5. Effectivity. - This Executive Order shall take effect thirty (30) days following its complete publication in at least two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, this 14th day of August, in the year of Our Lord, two thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

(Sgd.) **RONALDO B. ZAMORA**

Executive Secretary

Source: Presidential Management Staff

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 280
AMENDING EXECUTIVE ORDER NO. 45 DATED JANUARY 05, 1993 ADOPTING THE
PHILIPPINE REFERENCE SYSTEM OF 1992 AS THE STANDARD REFERENCE SYSTEM OF
SURVEYS IN THE PHILIPPINES

WHEREAS, the Philippine Reference System of 1992 (PRS 92) was adopted as the new standard reference of all surveying and mapping activities in the country pursuant to Executive Order No. 45, dated 5 January, 1993, due to the inability and inadequacy of the old system to meet the demands for highly accurate surveying and mapping programs of the government and to solve overlapping boundaries, land disputes/conflicts, and other land problem issues.

WHEREAS, the new System was also envisioned to support sustainable management and development of Environment and Natural Resources, and to establish more accurate special positioning for infrastructure activities;

WHEREAS, it is foreseen that the mandatory full implementation of the PRS 92 as standard reference of all surveying and mapping activities in the country by the year 2000 is impossible to attain due to some constraints.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The third sentence of Section 2 of Executive Order No. 45 dated January 05, 1993 is hereby amended to read as follows:

“**SEC. 2. x x x** There shall be a transition period up to year 2005 to allow integration of the old surveys, after which only PRS 92 shall be recognized as the standard reference system for all surveys and maps in the country.”

SEC. 2. This Order shall take effect immediately.

Done in the City of Manila, this 14th day of August, in the year of Our Lord, two thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 281
EXTENDING UP TO SEPTEMBER 30, 2000 THE IMPLEMENTATION OF THE
“WINDING UP” OF OPERATIONS OF THE NATIONAL STUD FARM (NSF)
AS PROVIDED UNDER THE AGENCY’S SPECIAL PROVISIONS IN THE
GENERAL APPROPRIATIONS ACT (GAA) FOR FISCAL YEAR 2000

WHEREAS, the Special Provisions in the GAA for the National Stud Farm for FY 2000 mandates that the amounts appropriated for the NSF shall be used to wind up its activities and operations, including the separation and retirement benefits of all affected officials and employees; and, that any deficiency in the amount for payment of terminal leave and retirement gratuity benefits shall be taken from the Miscellaneous Personnel Benefits Fund;

WHEREAS, Republic Act No. 6656 recognizes the need to protect the security of tenure of civil service officers and employees in the reorganization process without sacrificing the promotion of morale, efficiency, integrity, responsiveness, progressiveness, and courtesy in the civil service, pursuant to Article IX, B, Section 3 of the Constitution;

WHEREAS, the winding up of the NSF and the final disposition of its personnel, assets and liabilities require inter-agency coordination for its smooth and orderly implementation;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law do hereby order:

SECTION 1. Creation of Special Task Force. A Special Task Force is hereby created to be chaired by the Executive Secretary, with the Secretary of Budget and Management, the Secretary of Agriculture and the Director of the National Stud Farm as members, that shall provide policy guidelines for, and oversee, the final disposition of personnel, functions, assets and liabilities of the NSF.

SEC. 2. Transfer or Re-employment of NSF Personnel. NSF personnel shall be given priority in hiring for existing vacant positions in other government agencies, subject to compliance with established qualification standards set by the receiving agencies. The transfer to or re-employment of NSF personnel with other agencies shall be exempt from the prohibition on new hiring under Administrative Order No. 100 dated December 1, 1999.

SEC. 3. Separation or Retirement of NSF Personnel. All NSF personnel qualified for retirement may elect optional retirement as they may deem proper. All benefits, including payment of accrued leave credits, that may lawfully be given to NSF employees by virtue of their transfer, retirement or separation from service shall be paid within one (1) month from the filing of the necessary clearances and other pertinent documents.

SEC. 4. Transfer of Assets and Liabilities. All assets and liabilities of the NSF are hereby transferred without cost to the Department of Agriculture pending appropriate final disposition.

SEC. 5. Extension of Period. The Special Task Force, in coordination with other concerned agencies, is hereby given until September 30, 2000 within which to fully implement the deactivation of the NSF.

SEC. 6. Support of Other Agencies. The Special Task Force may request assistance from the Civil Service Commission and the Commission on Audit and such other agencies as may be necessary to assist in the smooth implementation of this Order.

SEC. 7. Funding Requirements. Funds for existing vacant positions in other agencies to be filled up by NSF personnel shall be sourced from agency savings or upon request, augmented by the Department of Budget and Management (DBM). The DBM shall give preference to the payment of accrued leave credits, separation and retirement benefits to NSF personnel from the Miscellaneous Personnel Benefits Fund.

SEC. 8. Final Report. The Special Task Force shall submit its final report and recommendation on the deactivation of the NSF to the President not later than September 30, 2000.

SEC. 9. Separability Clause. Any portion or provision of this Executive Order that may be declared unconstitutional shall not have the effect of nullifying other portions or provisions of the Order for as long as such remaining portions can still subsist and be given effect.

SEC. 10. Repealing Clause. All executive orders, rules, regulations and other issuances or parts thereof which are inconsistent with the provisions of this Executive Order are hereby revoked or modified accordingly.

SEC. 11. Effectivity. This Executive Order shall take effect immediately.

Done in the City of Manila, this 22nd day of August, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

RAMON B. CARDENAS

Acting Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 282
DEACTIVATING THE PRESIDENTIAL ANTI-SMUGGLING TASK FORCE “ADUANA”

WHEREAS, Presidential Anti-Smuggling Task Force “ADUANA” hereinafter referred to as PASTFA, was created pursuant to Presidential Memorandum dated October 5, 1999 and subsequently by Executive Order 196 dated January 7, 2000 purposely to neutralize, investigate and prosecute large-scale smuggling and other frauds upon customs and strengthen enforcement revenue laws;

WHEREAS, during the period of its existence, Presidential Anti-Smuggling Task Force “ADUANA” has effectively accomplished its duties and functions leading to the neutralization of smuggling syndicates, apprehension of highly dutiable smuggled items and increased revenues for the government;

WHEREAS, PASTFA is composed primarily of personnel from the Intelligence Service of the Armed Forces of the Philippines (ISAFP) and Presidential Security Group (PSG) and there is now a need to refocus and concentrate on their respective assigned duties and functions as guardians of the security of the state;

WHEREAS, the resurgence of various national security threat groups necessitates ISAFP in particular and the Armed Forces of the Philippines in general to address the situation and accordingly preserve peace and order and maintain stable security for the general welfare of the people;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Deactivation of the Task Force. - The Presidential Anti-Smuggling Task Force is hereby deactivated effective September 5, 2000.

SEC. 2. Absorption of the Mission and Functions of the Task Force. - The mission and functions of PASTFA shall be absorbed by the Bureau of Customs in accordance with the Tariff and Customs Code.

SEC. 3. Turn-Over of Apprehended Smuggled Goods. - Smuggled imported items seized or confiscated by the PASTFA under a duly issued Warrant of Seizure and Detention (WSD) shall, after requisite inventory, be turned over to the Bureau of Customs (BOC) for safekeeping, custody and disposition.

SEC. 4. Turn-Over of Records, Documents and Other Holdings. - Records, documents and other holdings of PASTFA relative to smuggling and other frauds upon customs shall be turned-over to the Commissioner of Customs within a period of fifteen (15) days after deactivation of the Task Force.

SEC. 5. Pending Criminal Cases. - Criminal cases instituted by PASTFA and still pending with the regular courts or Department of Justice (DOJ) shall continuously be handled or prosecuted by DOJ in coordination with ISAFP lawyers who will ensure the attendance of witnesses and production of evidence.

SEC. 6. Seizure Proceedings at the BOC. - All pending seizure cases filed by PASTFA at the Bureau of Customs shall be handled jointly by BOC and ISAFP lawyers.

SEC. 7. Cases Against PASTFA, ISAFP and PSG Personnel. – All cases already filed and those that may be filed in the future in connection with the operations of PASTFA before its deactivation, shall be handled by the Office of the Solicitor General lawyers who were previously assigned to PASTFA.

SEC. 8. Disposition of Personnel. – All Officers, enlisted personnel and civilian employees detailed to PASTFA shall immediately return to their respective mother units upon deactivation.

SEC. 9. Awards and Rewards Due to Informants and Other Operatives. – Corresponding awards and rewards for successful operations of PASTFA shall continue to be processed by the BOC in close coordination with ISAFP lawyers and shall be given only to the rightful claimant/informants in accordance with applicable laws.

SEC. 10. Effectivity. — This Executive Order shall take effect on September 5, 2000.

DONE in the City of Manila, this 4th day of September, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

President of the Philippines

Source: Presidential Management Staff

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 283

AMENDING CERTAIN PROVISIONS OF EXECUTIVE ORDER NO. 395, DATED JANUARY 24, 1997 WHICH APPROVED AND ADOPTED THE NATIONAL ACTION AGENDA FOR PRODUCTIVITY AND CREATING THE PHILIPPINE COUNCIL FOR PRODUCTIVITY

WHEREAS, Executive Order No. 395 dated January 24, 1997 created the Philippine Council for Productivity (PCP) to oversee the implementation of the National Action Agenda for Productivity to accelerate the country's program for global excellence and international competitiveness;

WHEREAS, the Council is supported by a Joint Secretariat composed of the Department of Trade and Industry, Department of Labor and Employment/National Wages and Productivity Commission, and the Development Academy of the Philippines and headed by the National Economic Development Authority;

WHEREAS, the Council through its Resolution No. 1 dated 21 March 1997, created a Technical Committee composed of Undersecretaries or Second-in-Rank officials whose function among others, is to implement and/or facilitate the implementation of policy and operational directives of the PCP;

WHEREAS, the Council undertook the study entitled "Institutional Structure for Productivity" which recommends that the National Wages and Productivity Commission and the Development Academy of the Philippines comprise the full-time secretariat of the Council, and that an Executive Committee be created to facilitate prompt and more responsive decision making on PCP and other productivity-related matters, thus replacing the existing Technical Committee;

WHEREAS, the Council approved the above-mentioned recommendations in its meeting last 24 February 2000;

WHEREAS, there is a need to amend E.O. 395 to implement the above-mentioned changes in the PCP structure;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby amend Executive Order No. 395, dated January 24, 1997, and order the following:

SECTION 1. Section 4 paragraph 3 is hereby amended as follows:

Technical and administrative support to the Council shall be provided by a full-time permanent Secretariat composed of the National Wages and Productivity Commission, Department of Labor and Employment (NWPC-DOLE) and the Productivity & Development Center, Development Academy of the Philippines (PDC-DAP).

SEC. 2. Creation of a PCP Executive Committee. A PCP Executive Committee is hereby created to facilitate timely decision making of the PCP. The PCP Executive Committee shall have the following functions and composition:

2.1 Functions of the PCP Executive Committee. The Executive Committee shall have the following functions:

- a) To facilitate implementation of policy and operational directives of the PCP;
- b) To review and evaluate policy recommendations of the Technical Working Groups (TWGs) and the Joint Secretariat, for endorsement to the PCP;
- c) To assist the PCP in monitoring the TWGs in the implementation of their sectoral plans;
- d) To recommend for approval of the PCP specific programs/activities necessary for the implementation of the NAAP; and
- e) To act on policy and operational matters as may be determined by the PCP Chair upon recommendation of the PCP Secretariat.

2.2 Composition of the PCP Executive Committee. The Executive Committee shall be composed of the following PCP members:

- Director General of the National Economic and Development Authority
- Executive Director of the National Wages and Productivity Commission
- President of the Development Academy of the Philippines
- President of the Philippine Quality and Productivity Movement
PCP Vice-Chairman for Business Sector
- Chairman of the Labor Advisory and Consultative Council
- Chairs of the PCP - Technical Working Groups

SEC. 3. Section 7 of E.O. 395 is amended as follows:

The budget of the PCP Secretariat and the PCP Executive Committee (PCP-ExCom) for the year 2000 shall be sourced from the remaining PCP budget for 2000 originally allocated for the activities of the PCP Joint Secretariat and Technical Committee, respectively, lodged in the NEDA budget. The NEDA shall release the funds in the form of cash advances to NWPC which shall in turn submit to NEDA a duly audited COA report on the utilization of the cash advances.

Henceforth, the budget for the operations of the Council, Executive Committee and Secretariat shall be incorporated in the budget of the NWPC-DOLE. However, the budget preparation and utilization of the PCP funds with respect to the allocation of the Council, the PCP-ExCom and the PCP Secretariat shall be determined through a mutual agreement by the PDC-DAP and NWPC-DOLE and recommended jointly through the PCP-ExCom to the Council Chair for approval.

The government agencies involved in the implementation of the Medium-Term National Action Agenda for Productivity (MNAAP) 2000-2004 shall continue to include in their respective budgets the necessary funds required for their productivity programs and activities.

SEC. 4. This Executive Order shall take effect immediately

Done in the City of Manila, this 4th day of September, in the year of Our Lord two thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:
RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 284
DECLARING AND DELINEATING THE SUAL PORT ZONE UNDER THE ADMINISTRATIVE
JURISDICTION OF THE PHILIPPINE PORTS AUTHORITY

WHEREAS, the Port of Sual has been identified as one of the major ports to be developed in the country;

WHEREAS, there is a need to construct the Port of Sual to accommodate projected increases in port traffic and to program the provision of the necessary port facilities to meet the demands of maritime commerce and trade within the region;

NOW, THEREFORE, I, JOSEPH E. ESTRADA, President of the Philippines by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The territorial jurisdiction of the Port of Sual is hereby delineated and particularly described as follows:

“Beginning at point marked 1 on the plan, thence to point 2 at a distance of 3,158.20m with bearing DUE N, thence to point 3 at a distance of 695.65m with bearing DUE E, thence to point 4 at a distance of 158.11m with bearing S 34°41’W, thence to point 5 at a distance of 61.52m with bearing S 45°39’W, thence to point 6 at a distance of 62.17m with bearing S 64°15’W, thence to point 7 at a distance of 63.25m with bearing S 71°34’W, thence to point 8 at a distance of 92.05m with bearing S 88°08’W, thence to point 9 at a distance of 54.63m with bearing S 23°45’W, thence to point 10 at a distance of 105.48m with bearing S 31°26’E, thence to point 11 at a distance of 17.72m with bearing S 16°23’W, thence to point 12 at a distance of 67.27m with bearing S 48°01’E, thence to point 13 at a distance of 443.36m with bearing S 44°43’E, thence to point 14 at a distance of 248.64m with bearing S 35°40’E, thence to point 15 at a distance of 569.02m with bearing S 59°01’E, thence to point 16 at a distance of 167.44m with bearing N 82°27’E, thence to point 17 at a distance of 408.38m with bearing N 47°29’E, thence to point 18 at a distance of 57.28m with bearing N 45°42’E, thence to point 19 at a distance of 118.11m with bearing N 02°25’W, thence to point 20 at a distance of 260.22m with bearing N 45°00’W, thence to point 21 at a distance of 647.48m with bearing N 29°14’W, thence to point 22 at a distance of 4,869.80m with bearing DUE E, thence to point 23 at a distance of 7,750.00m with bearing DUE S, thence to point 24 at a distance of 4,500.00 with bearing DUE W, thence to point 25 at a distance of 963.00m with bearing N 63°22’W, thence to point 26 at a distance of 1,750.00m with bearing DUE N, thence to point 1, the point of beginning at a distance of 2,596.81m with bearing N 20°00’W, all in all comprising a total area of 44,120,922.30 sq. m. more or less.”

SEC. 2. The Sual Port Zone, is hereby placed under the administrative jurisdiction of the Philippine Ports Authority, which shall, consistent with the regional industrial plans of the Government, implement a program for the proper zoning, planning, development and utilization of the port pursuant to Presidential Decree No. 857, as amended.

SEC. 3. All other orders, proclamations and issuances or portions thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 4. This Executive Order shall take effect immediately.

Done in the City of Manila, this 4th day of September, in the year of our Lord, two thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 285

AMENDING THE GUIDELINES GOVERNING THE ENTRY AND STAY OF FOREIGN STUDENTS IN THE PHILIPPINES AND THE ESTABLISHMENT OF AN INTER-AGENCY COMMITTEE ON FOREIGN STUDENTS FOR THE PURPOSE

WHEREAS, it is the policy of the government to continuously promote the Philippines as a center for education in the Asia Pacific Region by (i) encouraging foreign students to study in the country, (ii) developing awareness of the Philippine educational system among neighboring countries, and (iii) allowing duly accepted foreign students to avail of the facilities of the Philippine educational system;

WHEREAS, an increasing number of foreign students has expressed the desire to enter and study in the Philippines, and graduate from Philippine schools, colleges and universities;

WHEREAS, the Philippine government recognizes the importance of openness and vigilance in determining *bona-fide* foreign students who wish to avail themselves of education and training in the Philippine educational institutions and benefit from an enriched exchange of culture, ideas and goodwill among nations in the region;

WHEREAS, studying in the Philippines will afford foreign students of Filipino descent excellent means and opportunity to appreciate and understand their roots and rich cultural heritage;

WHEREAS, the government policy of attraction for foreign students to come to the country will help boost the nation's prospects to improve its economic environment;

WHEREAS, there is a need to liberalize the procedures and requirements in the entry of foreign students without compromising national security by providing a systematic method in the processing and approval of their documents.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. *Basic Policies and Procedures.* The following policies and procedures shall be observed by all entities concerned:

A. Coverage

Only aliens who seek temporary stay in the Philippines solely for the purpose of taking up a course higher than high school at a university, seminary, college, academy, or school duly authorized to admit foreign students who are at least 18 years of age at the time of enrollment and have the means sufficient for their education and support of study are covered under this order.

B. Acceptance

Only schools with programs accredited by the Federation of Accrediting Agencies of the Philippines (FAAP) or with the equivalent accreditation by the Commission on Higher Education (CHED) and the Bureau of Immigration (BI) shall be authorized by the Commission to admit foreign students. The CHED shall prepare, at regular intervals, an updated list of such schools, in consultation

with the BI, taking into account their respective mandates under existing laws and regulations. Copies of the list shall be furnished the BI, the Department of Foreign Affairs (DFA), the National Bureau of Investigation (NBI), the National Intelligence Coordinating Agency (NICA) and the schools authorized to admit foreign students. All schools so authorized shall establish a foreign student unit within their organization. To maintain their authority, the schools, through their foreign students unit, shall submit the following reports to the BI, copy furnished the CHED and NICA:

- a) an enrollment report on foreign students 45 days after commencement of classes every semester. The names of those who have been accepted but failed to enroll, either for the first time or subsequent terms, should be included in the said report.
- b) a monthly status report, as may be deemed necessary, with emphasis on whoever is missing, has transferred, dropped from the rolls or with derogatory records.
- c) a report on promotions with inclusions of those who failed to take the final examinations and those with deficiencies.

Failure to comply with the above-required reports shall be a ground for cancellation by the CHED of the authority to admit foreign students.

The Certificate of Eligibility for Admission (CEA) addressed to the accepting school shall be cleared by the CHED only in cases where restrictions exist on enrollment of foreign students due to shortage of facilities, such as enrollment in medicine and dentistry.

The CHED and the Department of Education, Culture and Sports (DECS) shall provide assistance to schools in regard to issues on comparative equivalences between foreign educational systems and those of the Philippines.

Accreditation of advanced credits earned in college or earned credits in Science, English and Mathematics in the 11th and 12th year levels of secondary education in foreign countries shall be limited only to the authorized number fixed by the CHED. Grant of credits in excess of the authorized number of advanced credits for degree course shall be subjected to validating examinations to be administered by the accepting educational institutions subject to information of the CHED.

Enrollment in any level shall require completion of the lower particular level, e.g., an applicant for the tertiary or collegiate level must be a graduate of high school or its equivalent.

The individual school may launch information campaigns to solicit and receive applications directly from prospective foreign students. The schools, for these purposes, may seek the assistance of the DFA and the Department of Tourism.

The processing of documents shall be between the school and the government agency concerned.

The foreign students shall communicate directly with the school and comply with the school's institutional requirements, which shall include the submission of the following documents;

- a) Five (5) copies of the Student's Personal History Statement (PHS) duly signed by him, both in English and in his national alphabet accompanied by his personal seal, if any, and containing, among others, his left and right thumbprints and a 2 x 2 inch photograph on plain white background taken not more than six months prior to submission.
 - b) A notarized affidavit of support including bank statements or notarized notice of grant for institutional scholars to cover expenses for the students accommodation and subsistence, as well as school dues and other incidental expenses.
 - c) Scholastic records duly authenticated by the Philippine Foreign Service Post located in the student applicant's country of origin or legal residence.
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- d) Photocopy of data page of the student's passport showing date and place of birth, and birth certificate or its equivalent duly authenticated by the Philippine Foreign Service Post.

The school, satisfied with the student's compliance with its requirements, shall issue a Notice of Acceptance (NOA) to the student and submit a duplicate copy thereof of the DFA, together with a certified true copy of the CHED's CEA, when necessary, and the above-cited document-requirements of Section 1-B-7 a to d. These documents shall be handcarried to the DFA by the school's designated liaison officer under a cover letter on the school's official stationery signed by the school registrar and stamped with the school's dry seal requesting that a student visa be issued to the person named therein.

The DFA shall indorse the documents to the Philippine Foreign Service Post located in the student's country of origin or legal residence for the issuance of the student visa after ascertaining the student's identity and admissibility under existing DFA regulations.

C. Issuance of Visas

Foreign students whose applications for student visa are approved are required to secure their visa from the Philippine Foreign Service Post in their country of origin or legal residence, regardless of where they are at the time of application.

The Philippine Foreign Service Post shall notify in writing the student of the receipt of the documents and require him to appear in person before a Consular Officer for interview and compliance with consular requirements. In addition to the documents transmitted to the post of the DFA, the following requirements shall be submitted by the student to the Consular Office:

- a) Original copy of the school's NOA containing a clear impression of the school's dry seal;
- b) Police clearance issued by the national police authorities in the student's country of origin or legal residence, authenticated by the Philippine Foreign Service Post having consular jurisdiction over the place; and
- c) Medical health certificate issued by an authorized physician including but not limited to standard-size chest x-ray, HIV, Hepatitis B clearance. The consular office shall not assume the task of determining the student's scholastic fitness for the program applied for and shall issue the student visa as soon as all the requirements are accomplished. A notice of visa issuance shall be furnished by the DFA to the school, the CHEC, BI and NBI and the NICA as soon as it receives a report to this effect from the issuing post.

D. Arrival and Stay in the Philippines

Upon arrival in the Philippines, the student, as part of the requirements for processing his entry, shall report immediately to the BI Students Desk for registration and to the accepting school and shall enroll in the school which issued this NOA. The school shall reassess the student's competency level and establish his scholastic comparative equivalence, when necessary.

The school, through its foreign student unit, shall assist the student in obtaining the necessary Alien Certificate of Registration (ACR) and Certificate of Residence for Temporary Students (CRTS) from the BI. The student's authorized period of stay shall be consistent with the length of the course of study to which he has been accepted by a Philippine school. The initial period is one year, then, is renewed by the BI Student Desk every semester and for cause, maybe approved for one year.

A foreign student who wishes to pursue another degree program higher than the original course completed shall submit all appropriate clearances/indorsements to include Personal History Statement form duly accomplished, notarized affidavit of support, official transcript of record, NBI clearance and

NOA from his admitting school and other concerned agencies to the BI for approval and subsequent processing of student visa extensions.

Shifting of course or change of school shall require prior CHED/DECS clearances.

Authorization for conversion from tourist's visa category to that of a student visa or issuance of Special Study Permit is hereby restored.

The concerned school and the Inter-Agency members shall provide assistance to the foreigners who are already in the country under any valid visa arrangement and who apply/petition for the conversion of their status to 9f student visa or for the issuance of a Special Study Permit provided all relevant prerequisites are complied with, and provided further, that safeguards to national security concerns/interests are adequately and appropriately undertaken by all concerned agencies.

The BI shall establish a Foreign Student Desk which shall have the following functions:

- a) To handle and screen all applications/petitions of foreigners for conversion from any valid category admission to student visa or for the issuance of Special Study Permit and recommend appropriate course of action to the BI Commissioner.
- b) To process and act on 9f student visa extension application and to approve the same per semester or for cause, per year;
- c) To accredit Higher Educational Institution (HEIs) to accept foreign students in coordination with CHED;
- d) To implement approved 9f conversion and downgrading from 9f to 9a;
- e) To issue BI clearance to student visa applicants;
- f) To monitor the activities of foreign students.

E. Monitoring

Within a month and a half after the start of classes, the school, through its foreign students unit, shall submit to the BI, copy furnished CHED, NICA and NBI, an enrollment report on all foreign students with inclusion of names of foreign students who have been accepted but failed to enroll, either for the first time or for subsequent terms. Further, it shall submit a monthly status report to the BI, as may be deemed necessary, on whoever are missing, have transferred, dropped from the rolls and with derogatory record. Finally, at the end of each term, the school shall also report to the BI those foreign students who failed to take the final examinations for the term and those who have completed their courses. The report on promotions shall be submitted to the BI for appropriate action on requests for student visa extension. Non-compliance by schools to submit the reports shall be a ground for the cancellation by the CHED of their authority to accept foreign students.

The NICA and the NBI shall check, whenever necessary, the activities of foreign students brought to their attention which appear to be inimical to the security of the State. Criminal complaints filed against foreign students shall be referred to the NBI for investigation and appropriate action. These agencies shall undertake steps necessary to safeguard the due process of valid application, visa issuance and entry authorization of foreign students in the country.

The BI shall investigate, apprehend and prosecute, if necessary, foreign students who are not complying with Philippine immigration laws and regulations. Violation of immigration laws and regulations shall be a ground for the cancellation of a student visa and deportation of the student concerned.

F. Exemption

The following shall be exempt from the coverage of this Executive Order:

1) Tertiary enrollment in Philippine schools of the spouses and unmarried dependent children below 21 years old of the following categories of aliens shall not be required to secure a student visa and the BI special study permit;

- a) A permanent foreign resident;
- b) Aliens with valid working permits under Section 9(d), 9(g) and 47(a)(2) of the Philippine Immigration Act of 1940, as amended;
- c) Personnel of foreign diplomatic and consular missions residing in the Philippines;
- d) Personnel of duly accredited international organizations residing in the Philippines;
- e) Holders of Special Investor's Resident Visa (SIRV) and Special Retirees Resident Visa (SRRV); and
- f) Foreign students coming in the Philippines with 47(a) (2) visas issued pursuant to existing laws, e.g. P.D. 2021.

This privilege is also extended to the principals who may wish to take advantage of the educational facilities on the country.

2) Children of the above-mentioned admission categories who are already enrolled before their marriage and/or before reaching the age of 21 years shall be allowed to finish their studies and convert their admission category to that of student visa under Section 9(f) of the Philippine Immigration Act of 1940, as amended, for as long as their principals remain in the country.

3) Spouses and children of personnel of foreign diplomatic and consular missions and duly accredited international organizations located in the Philippines who desire to remain in the Philippines to enroll for the first time or finish their studies higher than high school and qualify under prescribed regulations, shall be allowed to convert their admission category to that of a student visa under Section 9(f) of the Philippine Immigration Act of 1940, as amended, in accordance with the applicable procedure, in the event their principals lose their admission category as Foreign Government Official under Section 9(e) of the Philippine Immigration Act of 1940, as amended. The privilege is also extended to the principals who may wish to take advantage of the educational facilities of the country.

SEC. 2. *Establishment and Composition of the Committee on Foreign Students.* There is hereby created an Inter-Agency Committee of Foreign Students herein referred to as the Committee, which shall have the following membership:

- | | |
|---|-------------|
| a) Commission on Higher Education | Chairman |
| b) Department of Foreign Affairs | Co-Chairman |
| c) Department of Education Culture and Sports | Member |
| d) Bureau of Immigration | Member |
| e) National Bureau of Investigation | Member |
| f) National Intelligence Coordinating Agency | Member |

SEC. 3. *Duties and Responsibilities of the Committee.* The Committee shall have the following duties and responsibilities:

- a) Promulgate simplified procedures and implementing guidelines governing the entry and stay of foreign students in the Philippines, as well as rules and regulations limiting school transfer and

- course shifting of foreign students in accordance with the provisions of the Executive Order within sixty (60) days from the effectivity hereof;
- b) Monitor and coordinate the implementation of this Executive Order with the department and agencies concerned;
 - c) Meet regularly to assess the progress of the whole program to ensure that the promotion of the Philippines as a center for education in the region is effectively encouraged and undertaken;
 - d) Request representatives from other agencies and/or the private sector to attend its meetings, when it deems necessary and proper; and
 - e) Submit a semi-annual report to the Office of the President, through the Office of the Executive Secretary, on the status of the foreign students in the country. The report shall be submitted before the end of September and February of the first and second semester, respectively, of each school year.

The CHED shall provide the secretariat to support the Committee.

SEC. 4. *Penalty Clause.* Any school found, after due investigation, by the CHED and/or the BI to have violated any provision on compliance shall suffer cancellation of the authority to admit foreign students.

SEC. 5. *Repealing Provision.* All executive issuances, regulations, or any part thereof, which are inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

SEC. 6. *Separability Clause.* If, for any reason, any part or provision of the Executive Order shall be held unconstitutional or declared contrary to law, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 7. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila this 4th day of September, in the year of our Lord, two thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 286
PROMULGATING THE FOURTH REGULAR FOREIGN INVESTMENT NEGATIVE LIST

WHEREAS, Republic Act (RA) No. 7042 also known as the Foreign Investments Act of 1991, as amended by RA 8179, provides for the formulation of a Regular Foreign Investment Negative List covering investment areas/activities which may be opened to foreign investors and/or reserved to Filipino nationals;

WHEREAS, the Regular Foreign Investment Negative List, consisting of Lists A and B, is effective for two years pursuant to Section 8 of RA 7042 as amended and its Implementing Rules and Regulations;

WHEREAS, there is a need to formulate a Fourth Regular Foreign Investment Negative List in view of the expiration of the existing list on 23 October 2000 and to reflect changes to List A and B provided in new laws and recommended by concerned government agencies;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Only the investment areas and/or activities listed in Annex A herewith shall be reserved to Philippine nationals, and hereafter shall be referred to as the Fourth Regular Foreign Investment Negative List. The extent of foreign equity participation in these areas shall be limited to the percentages indicated in the List.

SEC 2. Any amendment to List A may be made at any time to reflect changes instituted in specific laws while amendments to List B shall not be made more often than once every two years, pursuant to Section 8 of RA 7042 as amended, and of its Implementing Rules and Regulations.

SEC 3. All orders, issuances, rules and regulations or parts thereof, which are inconsistent with this Order are hereby revoked or modified accordingly.

SEC 4. This Order shall take effect on 24 October 2000.

Done in the City of Manila, this 24th day of August, in the year of our Lord, two thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:
(Sgd.) **RONALDO B. ZAMORA**
Executive Secretary

Reference: “Annex A”

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 287
ESTABLISHING NEW OPERATIONAL GUIDELINES FOR THE COMMISSIONER OF
IMMIGRATION IN THE INTEREST OF NATIONAL SECURITY, PUBLIC SAFETY,
PUBLIC HEALTH AND/OR NATIONAL INTERESTS

WHEREAS, pursuant to Presidential Decree No. 830 dated November 27, 1975 and Letter of Implementation No. 47 dated August 18, 1976 in relation to Book IV, Title III, Chapter 10, Section 31 of the Administrative Code of 1987 (E.O. 292), the power and authority to deport undesirable aliens is within the exclusive jurisdiction of the Immigration Board of Commissioners presided over by the Commissioner of Immigration;

WHEREAS, under Article VII, Section 17 of the 1987 Constitution, in relation to Book III, Title I, Chapter 1, Section 1, of E.O. 292, the Commissioner of Immigration is under the control of the Chief Executive insofar as the authority to deport undesirable aliens who are in violation of immigration laws, rules and regulations is concerned;

WHEREAS, it is necessary to establish new administrative procedures that will enable the Commissioner of Immigration to promptly address the issue of undesirable aliens, who, because of their well established nefarious activities in the Philippines, pose a clear and present danger to the national security, public safety, public health, and national interests.

NOW THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby promulgate the following new operational guidelines for implementation by the Commissioner of Immigration:

SECTION 1. Authority to Issue Mission Orders for Verification and Investigation of Suspected Illegal Aliens- Upon a well-founded and reasonable determination by the Commissioner of Immigration, based on available and verifiable civilian, immigration, or military intelligence reports, that an alien has committed, is actually committing or is about to commit an act or omission in violation of immigration laws, rules and regulations, or in violation of Philippine laws, rules and regulations, which may constitute grounds for deportation, the Commissioner of Immigration or in his absence, the Acting Commissioner of Immigration is hereby authorized, in the interest of national security, public health, public safety and/or national interests, to issue a mission order directing appropriate officers of the Bureau of Immigration, whether organic or on detail, to conduct verification and investigation operations against the alien or aliens concerned, and if probable cause exists, to effect a warrantless arrest of such alien or aliens in accordance with Section 5, Rule 113 of the Rules of Court, if found *in flagrante* violating Philippine Immigration laws.

SEC. 2. Submission of Reports to the President - The Commissioner of Immigration shall furnish the Office of the President a monthly report of deported aliens with their nationalities and the grounds for their deportation, copy furnished the Secretary of Justice.

SEC. 3. Repealing Clause. - Provisions of other executive issuances and departmental orders inconsistent herewith are hereby repealed or modified accordingly.

SEC. 4. *Effectivity.* - This Executive Order shall take effect immediately.

Done in the City of Manila, this 4th day of September, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 288

EXTENDING THE TERM OF EXECUTIVE ORDER NO. 161 “PROCLAIMING A SPECIAL ZONE OF PEACE AND DEVELOPMENT IN THE SOUTHERN PHILIPPINES, AND ESTABLISHING THEREFORE THE SOUTHERN PHILIPPINES COUNCIL FOR PEACE AND DEVELOPMENT AND THE CONSULTATIVE ASSEMBLY”

WHEREAS, the Regular Elections for the Elective Officials of the Autonomous Region in Muslim Mindanao is again postponed in order to allow the government and the Moro National Liberation Front (MNLF) an opportunity to complete the implementation of Phase 1 of the 1996 GRP-MNLF Peace Agreement;

WHEREAS, such postponement of the ARMM elections to the second Monday of May 2001 accords the government an opportunity to ensure the passage of the amendatory law to RA 6734, the Organic Act for Muslim Mindanao;

WHEREAS, this has also opened an opportunity for SPCPD to spearhead the integration, synchronization and accelerated implementation of peace and development programs and projects in the SZOPAD, to include the ARMM provinces.

NOW, THEREFORE, I, JOSEPH EJEERCITO ESTRADA, the President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order the following:

SECTION 1. EXTENDING THE EFFECTIVITY OF EO 161 s. 1999. The terms of the Special Zone of Peace and Development (SZOPAD), the Southern Philippines Council for Peace and Development (SPCPD) and the Consultative Assembly (CA) are hereby extended to May 2001 corresponding to the period covered by the postponement of ARMM Elections.

SECTION 2. CONTINUITY OF ORGANIZATION, FUNCTIONS AND RESPONSIBILITIES. The organization, functions and responsibilities of SPCPD and CA, as provided for in EO 371 shall continue to be in force and effect during the period covered by this Executive Order.

SECTION 3. SPECIAL ROLE OF SPCPD WITH RESPECT TO DEVELOPMENT CONCERNS. With respect to peace and development concerns in SZOPAD, the SPCPD shall, pursuant to the 1996 Final Peace Agreement, undertake the following additional tasks:

- a) Directly supervise offices and projects located in the Special Zone of Peace and Development particularly the Southern Philippines Development Authority (SPDA), the Office of Muslim Affairs (OMA) and the National Commission on Indigenous People (NCIP) formerly office of the Southern Cultural Communities.
- b) Coordinate the integration, synchronization and accelerated implementation of development projects in the Special Zones of Peace and Development (SZOPAD).
- c) Serve as the coordinating, monitoring and validating arm of the Mindanao Coordinating Council in SZOPAD as embodied in EO 261 dated 05 July 2000.

SECTION 4. EFFECT ON LOCAL GOVERNMENT UNITS. Nothing in this Executive Order shall affect the existence or diminish the powers and functions under existing laws of all local government units in the SZOPAD, including the Autonomous Region in Muslim Mindanao.

SECTION 5. FUNDING. Funds for the operation of SPCPD and the Consultative Assembly shall continue to be sourced from the Office of the President and from such other funding sources as may be recommended by the Department of Budget and Management.

SECTION 6. EFFECTIVITY CLAUSE. This Executive Order shall take effect fifteen (15) days after its publication in two newspapers of national circulation.

Done in the City of Manila, this 22nd of September, in the Year of Our Lord, Two Thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

(Sgd.) **RONALDO B. ZAMORA**

Executive Secretary

Source: Presidential Management Staff

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 289
AMENDING EXECUTIVE ORDER NUMBERS 183 AND 246 AND PROVIDING FOR THE
ADJUSTMENT IN THE DIVIDEND RATE OF THE PHILIPPINE PORTS AUTHORITY AND THE
DEVELOPMENT BANK OF THE PHILIPPINES ON THEIR 1999 NET EARNINGS
PURSUANT TO SECTION 5 OF REPUBLIC ACT NO. 7656

WHEREAS, Section 1 of Republic Act No. 7656 provides that:

“Section 1. Declaration of Policy. It is hereby declared the policy of the State that in order for the National Government to realize additional revenues, government-owned and/or controlled corporations, without impairing their viability and the purposes for which they have been established, shall share a substantial amount of their net earnings to the National Government.”

WHEREAS, Section 5 of RA 7656 provides that:

“Section 5. Flexible Clause. In the interest of national economy and general welfare the percentage of annual net earnings that shall be declared by a government-owned and/or controlled corporation may be adjusted by the President of the Philippines upon recommendation by the Secretary of Finance.

WHEREAS, Executive Order No. 183 was issued on 10 December 1999 providing for the adjustment in the dividend rate of the Philippine Ports Authority from fifty percent (50%) to fifteen percent (15%) on its 1999 net earnings.

WHEREAS, Executive Order No. 226 was issued on 03 April 2000 providing for the adjustment in the dividend rate of the Development Bank of the Philippines from fifty percent (50%) to ten percent (10%) on its 1999 net earnings.

WHEREAS, Executive Order No. 246 was issued on 20 May 2000 amending Executive Order No. 226 and providing for the adjustment in the dividend rate of the Development Bank of the Philippines from ten percent (10%) to thirteen percent (13%) on its 1999 net earnings equivalent to an amount not lower than ₱233M.

WHEREAS, in order to raise additional revenue for the National Government, there is a need for PPA and the DBP to remit additional dividends to the Bureau of the Treasury.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The percentage of net earnings to be declared and remitted by the PPA as provided in Executive Order No. 183 is adjusted from fifteen percent (15%) to fifty percent (50%) provided that total remittance of PPA should not be lower than Six Hundred Eleven Million Pesos (₱611 M).

SEC. 2. The percentage of net earnings to be declared and remitted by the DBP as provided in Executive Order No. 246 is adjusted from thirteen percent (13%) to thirty percent (30%) provided that total remittance of DBP should not be lower than Five Hundred Thirty Million Pesos (₱530 M).

SEC. 3. The adjusted dividend rates provided for under Sections 1 and 2 hereof are only applicable on 1999 net earnings of the PPA and DBP.

SEC. 4. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 22nd day of September, in the Year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 290
STREAMLINING THE STRUCTURE AND FUNCTIONS OF THE DEPARTMENT OF
AGRARIAN REFORM AND FOR OTHER PURPOSES

WHEREAS, Presidential Proclamation No. 131 and Executive Order No. 229 both dated July 22, 1987 instituted a Comprehensive Agrarian Reform Program (CARP) and provided the mechanisms for its implementation;

WHEREAS, Executive Order No. 129-A dated July 26, 1987 reorganized and strengthened the Department of Agrarian Reform in order to carry out its mandate;

WHEREAS, Republic Act No. 6657, approved on June 10, 1988, redefined the scope of the Comprehensive Agrarian Reform Program and re-emphasized its purpose/objective which is to ensure that the welfare of the landless farmers and farmworkers will receive the highest consideration to promise social justice and to move the nation towards sound rural development and industrialization;

WHEREAS, there is a need to rationalize, re-align and streamline the present organization structure and functions of the Department in order to respond to the new thrusts as spelled out under RA 6657, to meet the challenges of the global and modernizing economy and to attune itself to emerging local and international development imperatives and deliver its services to its clientele with greater efficiency and effectiveness;

WHEREAS, Section 20, Chapter 7, Title I, Book III of Executive Order No. 292 series of 1987, otherwise known as the “Administrative Code of 1987,” empowers the President of the Philippines to exercise such powers and functions as are vested in him under the law;

WHEREAS, Section 76 of the General Provisions of RA 8760, otherwise known as the “General Appropriations Act of 2000,” empowers the President to direct changes in organization and key positions of any department, bureau or agency;

WHEREAS, Section 78 of the same Act provides, among others, that the heads of departments, bureaus, offices and agencies and other entities in the Executive Branch are directed to conduct a comprehensive review of their respective mandates, functions, programs, projects, activities and systems and procedures; identify activities which are no longer essential in the delivery of public services and which may be scaled down, phased down, or abolished; and adopt measures that will result in the improved overall performance and productivity of their respective agencies;

WHEREAS, Section 32 of Executive Order No. 129-A provides that “No change in the reorganization herein prescribed shall be valid except upon prior approval of the President for the purpose of promoting efficiency and effectiveness in the delivery of public services”;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the power vested in me by law, do hereby order the following:

SECTION 1. Mandate. The Department of Agrarian Reform shall continue to pursue its mandate and exercise its powers as provided for under RA 6657 otherwise known as the “Comprehensive Agrarian Reform Law” (CARL) and of Executive Order No. 129-A dated July 26, 1987 of Agrarian Reform and for Other Purposes.

SEC 2. Preparation of a Rationalization and Streamlining Plan. In view of the functional and operational redirection in the DAR and to effect efficiency and effectiveness in its activities, the Department shall prepare a Rationalization and Streamlining Plan (RSP) which shall be the basis for the intended changes. The RSP Plan shall contain the following:

- a) the specific shift in policy directions, missions, visions, core values, functions, programs and service delivery processes and strategies;
- b) the structural and organizational shift, stating the specific functions and activities by organizational unit and the relationship of each units;
- c) the staffing shift if any, highlighting and itemizing the existing filled and unfilled positions; and
- d) the resource allocation shift, specifying the effects of the streamlined set-up on the agency budgetary allocation and indicating where possible, savings that have been generated.

The RSP shall be submitted to the Department of Budget and Management for approval before the corresponding shifts shall be affected by the DAR Secretary.

SEC 3. Redeployment of Personnel. The redeployment of officials and other personnel on the basis of the approved RSP shall not result in diminution in rank or in compensation or both, of existing personnel. It shall take into account all pertinent Civil Service Laws and rules and regulations.

SEC 4. Funding. The financial resources needed to implement the Rationalization and Streamlining Plan shall be taken from funds available in the DAR, provided that the local requirements for the implementation of the revised staffing pattern shall not exceed available funds for Personnel Services.

SEC 5. Separation Benefits. Personnel who opt to be separated from the service as a consequence of the implementation of this Executive Order shall be entitled to the benefits under existing laws. Those who are not covered by existing laws shall be entitled to separation benefits equivalent to one (1) month basic salary for every year of service or proportionate share thereof in addition to the terminal leave benefits which the employee is entitled to under existing laws.

SEC 6. Implementing Authority. Following the approved RSP, the DAR Secretary, in addition to his authority to implement the RSP is hereby authorized to determine the type of agencies and facilities necessary to carry out the Department's mandate and powers, including the pilot testing of programs following strictly the principles of efficiency and effectiveness.

SEC 7. Transition Mechanism. Pending approval of the RSP, the DAR Secretary is hereby authorized to adopt such interim structures and mechanisms, including but not limited to, detailing, reassigning and/or designating such number of critical officials and personnel who will be needed to ensure a smooth transition towards the new organization thrusts, policies and structures, provided that such detail, reassignment and/or designation shall be guided by the provisions of the Civil Service Law on the matter;

SEC 8. Separability. Any portion or provision of this Executive Order that may be declared unconstitutional shall not have the effect of nullifying other portions or provisions hereof as long as such remaining portions or provisions can still subsist and be given effect in their entirety.

SEC 9. Repealing Clause. All other orders, memorandum circulars, rules and regulations, and other issuances inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC 10. Effectivity. This Executive Order shall take effect immediately.

Done in the City of Manila this 22nd day of September, in the year of our Lord, two thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

(Sgd.) **RONALDO B. ZAMORA**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 291
MONETIZATION OF LEAVE CREDITS OF GOVERNMENT OFFICIALS AND EMPLOYEES

WHEREAS, the Government fully appreciates the valuable role of government officials and employees in providing vital services to the population at large;

WHEREAS, in recognition of this vital role, it is the policy of the Government to continuously look for the welfare of government officials and employees;

WHEREAS, pursuant to this policy, the Government deems it proper to provide necessary additional funds to these officials and employees to finance the education, health or other emergency expenses of these officials and employees, or any member of their family by allowing them to monetize a portion of their vacation/sick leave credits tax-free pursuant to Memorandum Circular No. 31, s. 1991 implementing Joint Civil Service Commission – Department of Budget and Management Circular No. 1, s. 1991 as amended by Joint CSC – DBM Circular No. 2-97, s. of 1997;

WHEREAS, it has come to my attention that the Bureau of Internal Revenue had issued various rulings on the taxability of monetized leave credits, Section 2.78.1(A) (7), p. 24 of Revenue Regulation No. 2-98 dated April 17, 1998, being the latest, which rulings are in direct contrast to the CSC intent when the policy on monetization of leave credits tax-free was institutionalized in 1991 as per its Resolution No. 992630 dated December 2, 1999;

WHEREAS, said rulings create confusion on the various government bodies whether or not said monetized leave credits are subject to income tax and withholding tax;

WHEREAS, said rulings have discouraged the application for monetization of leave credits by many officials and employees despite urgent/emergency needs;

WHEREAS, it is my concern and constitutional duty to be a watchman of this problem and provide solution for the same;

NOW THEREFORE, I, **JOSEPH EJERCITO ESTRADA**, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and direct:

SECTION 1. TAX EXEMPTION STATUS OF MONETIZED LEAVE CREDITS. The monetized leave credits of government officials and employees shall continue to be exempted from income tax.

SEC. 2. ABROGATION OF BIR RULING ON MONETIZED LEAVE CREDITS. Hence, pursuant to Section 17, Article VII of the Constitution, I hereby abrogate all previous rulings, including Section 2.78.1(A)(7), p. 27 of Revenue Regulation No. 2-98 dated April 17, 1998 issued by the Bureau of Internal Revenue which subjected the monetization of leave credits to income tax, which I have noted to be inconsistent with the provisions of Republic Act (R.A.) No. 8424 the “Tax Reform Act of 1997” as well as the intention on the grant of such benefits.

SEC. 3. IMPLEMENTATION IN GOVERNMENT BUREAUCRACY. Accordingly, all heads of departments and agencies and others concerned are enjoined to implement the strict observance of this Order.

SEC. 4. EFFECTIVITY. This Executive Order shall take effect immediately

DONE in the City of Manila, this 27th day of September, in the Year of Our Lord, Two Thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

(Sgd.) **RONALDO B. ZAMORA**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 292

ADJUSTING THE DIVIDEND RATES OF SELECTED GOVERNMENT OWNED AND/OR CONTROLLED CORPORATIONS ON THEIR 1999 NET EARNINGS AND FURTHER ADJUSTING DIVIDEND RATES OF THE LAND BANK OF THE PHILIPPINES ON ITS 1996, 1997 AND 1998 PURSUANT TO SECTION 5 OF REPUBLIC ACT NO. 7656

WHEREAS, Section 1 of Republic Act No. 7656 provides that:

“Section 1. Declaration of Policy. It is hereby declared the policy of the State that in order for the National Government to realize additional revenues, government-owned and/or controlled corporations, without impairing their viability and the purposes for which they have been established, shall share a substantial amount of their net earnings to the National Government.”

WHEREAS, to support the viability and mandate of government owned and/or controlled corporations (GOCCs) and the government financial institution (GFIs); their liquidity, retained earnings position, capital position in real terms and medium-term plans and programs were considered in the determination of the reasonable dividend rates on the net earnings of such corporations.

WHEREAS, pursuant to Section 5 of RA 7656, the Secretary of Finance recommended the adjustment on the percentage of annual net earnings that shall be declared by the Manila International Airport Authority (MIAA), Public Estate Administration (PEA) and Land Bank of the Philippines (LBP) in the interest of national economy and general welfare.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The percentage of 1999 net earnings to be declared and remitted by the MIAA, PEA and LBP as dividends to the National Government as provided for under Section 3 of Republic Act No. 7656 is adjusted from at least fifty percent (50%) to at least the rates specified hereunder.

1. Manila International Airport Authority (MIAA)	30%
2. Public Estates Authority (PEA)	20%
3. Land Bank of the Philippines (LBP)	0%

Provided, however, that the dividend remittance of the MIAA and the PEA corresponding to their 1999 earnings should not be less than Pesos Two Hundred Fifty Five Million (₱255M) and Pesos Six Million (₱6M), respectively.

SEC. 2. The percentages of dividend to be declared by the LBP on its 1996, 1997 and 1998 earnings are further adjusted from the rates specified under Executive Order Numbers 227, 228 and 131 to the rates specified hereunder:

1996 Net earnings	15.7%
1997 Net earnings	9.7%
1998 Net earnings	0%

Provided, however, that the dividend remittances of LBP on its 1996 and 1997 net earnings shall not be more than ₱465.44 and ₱446.56M to avoid the impairment of the capital position of LBP in real terms.

SEC. 3. This Executive Order shall take effect immediately

DONE in the City of Manila, this 27th day of September, in the Year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 293
FOR THE HOLDING OF THE FIRST NATIONAL SUMMIT ON CHILDREN

WHEREAS, in preparation for its participation in the United Nations General Assembly Special Session on the World Summit delineating the Goals for Children to be held on September 2001, there is a need for the Philippines to immediately hold a National Summit on Children, which shall take the form of a one-day consultative conference to be participated in by children and adult representatives from multi-sectoral governmental and non-governmental organizations from various regions of the country;

WHEREAS, the above-mentioned National Summit will give the President of the Republic of the Philippines a suitable opportunity to launch the Philippine National Development Plan for Children (otherwise known as “Child 21”) and to deliver his State of the Filipino Child address;

WHEREAS, it is indeed appropriate for the above-mentioned National Summit to be held in October 2000, as the month of October is widely regarded as the month for children;

WHEREAS, this Administration is committed to the protection, survival, and development of Filipino children;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order the following:

Section 1. *First National Summit on Children* – There shall be held a National Summit on Children on 26 October 2000 at the Heroes Hall, Malacañang Palace, Manila.

Section 2. *National Steering Committee* – The Office shall be the primary policy-making and coordinating body of all child development programs and institutions in the Philippines.

Section 3. *Powers and Responsibilities* – (a) The Office of the Presidential Adviser for Children’s Affairs shall have the following powers and responsibilities:

- i. To advise the President on issues affecting children and to recommend such measures or programs that will complement the Estrada Administration’s pro-poor agenda;
- ii. To review all legislation for children and to see if there is a need to introduce or amend legislation for the protection and welfare of children;
- iii. To facilitate the funding of programs and projects from both foreign and domestic fund sources; and
- iv. To perform such other functions as may be authorized by the President of the Philippines.

(b) The Presidential Adviser shall be the Chief Executive Officer of the Office of the Presidential Adviser for Children’s Affairs. The Presidential Adviser shall have the following powers and responsibilities:

- i. To establish the organizational structure of the Office and appoint, on a permanent or contractual basis, the necessary administrative and subordinate personnel;
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- ii. To direct and supervise the operations and internal affairs of the Office;
- iii. To suspend, dismiss, or otherwise discipline for cause any employee and to approve or disapprove the appointment, transfer, or detail of employees; and
To perform such other functions as may be authorized the President.

Section 4. Assistance from Other Government Agencies – All government offices, agencies, and instrumentalities shall give any and all assistance as may be required by the Committee in carrying out its functions. Failure by the appropriate government office, agency, or instrumentality to provide such assistance shall be deemed an administrative offense and shall be dealt with in accordance with applicable law and regulations.

Section 5. Funding – To carry out the provisions of this Executive Order, the initial sum of Five Million (₱5,000,000.00) Pesos or so much thereof as may be necessary is hereby authorized released from the National Treasury from any fund not otherwise appropriated.

Section 6. Effectivity – This Executive Order shall take effect immediately.

DONE in the City of Manila, this 26th day of August, in the Year of our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 294
CREATING THE OFFICE OF THE PRESIDENTIAL ADVISER FOR CHILDREN'S AFFAIRS

WHEREAS, this Administration envisions the Republic of the Philippines as a child-friendly country where the child is at the center of the human development agenda;

WHEREAS, it is further envisioned by this Administration to have all sectors of society work together to promote the welfare of children;

WHEREAS, there is a need to establish a government agency for children's affairs to serve as a direct link with the government, specially as regards policy formulation and program implementation addressing children's needs;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order the following:

Section 1. *Creation* – There is hereby created under the Office of the President the Office of the Presidential Adviser for Children's Affairs. The Presidential Adviser shall have the rank of Cabinet Secretary and shall serve at the pleasure of the President.

Section 2. *Nature of the Office* – The Office shall be the primary policy-making and coordinating body of all child development programs and institutions in the Philippines.

Section 3. *Powers and Responsibilities* – (a) The Office of the Presidential Adviser for Children's Affairs shall have the following powers and responsibilities:

- To advise the President on issues affecting children and to recommend such measures or programs that will complement the Estrada Administration's pro-poor agenda;
- ii. To review all legislation for children and to see if there is a need to introduce or amend legislation for the protection and welfare of children;
- iii. To facilitate the funding of programs and projects from both foreign and domestic fund sources, and
- iv. To perform such other functions as may be authorized by the President of the Philippines.

(b) The Presidential Adviser shall be the Chief Executive Officer of the Office of the Presidential Adviser for Children's Affairs. The Presidential Adviser shall have the following powers and responsibilities:

- To establish the organizational structure of the Office and appoint, on a permanent or contractual basis, the necessary administrative and subordinate personnel;
 - ii. To direct and supervise the operations and internal affairs of the Office;
 - iii. To suspend, dismiss, or otherwise discipline for cause any employee and to approve or disapprove the appointment, transfer, or detail of employees; and
 - iv. To perform such other functions as may be authorized by the President.
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Section 4. Assistance from Other Government Agencies – All government offices, agencies, and instrumentalities are hereby directed to give and all assistance as may be required by the Office of the Presidential Adviser for Children’s Affairs in carrying out its functions. Failure by the appropriate government office, agency, or instrumentality to provide such assistance shall be deemed an administrative offense and shall be dealt with in accordance with applicable laws and regulations.

Section 5. Funding – To carry out the provisions of this Executive Order, the initial sum of Ten Million (₱10,000,000.00) Pesos or so much thereof as may be necessary is hereby authorized released from the National Treasury from any fund not otherwise appropriated. Thereafter, such amount as may be necessary for the operations of the Office of the Presidential Adviser for Children’s Affairs shall be included in the annual General Appropriations Act.

Section 6. Reportorial Requirements – The Office of the Presidential Adviser for Children’s Affairs shall submit quarterly reports of its funds and activities to the President.

Section 7. Effectivity – This Executive Order shall take effect immediately.

DONE in the City of Manila, this 26th day of August, in the Year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 295
AMENDING EXECUTIVE ORDER NO. 8 CREATING A PRESIDENTIAL
ANTI-ORGANIZED CRIME COMMISSION, TO INVESTIGATE AND PROSECUTE
CRIMINAL ELEMENTS IN THE COUNTRY

WHEREAS, there is a need to formally place under the Presidential Anti-Organized Crime Commission the various Task Forces against organized crimes;

WHEREAS, a sustained, relentless and dedicated campaign to minimize organized and syndicated crimes as well as to neutralize their protectors in government are among the priorities of the administration;

WHEREAS, the Administrative Code of 1987 empowers the President with the continuing authority to reorganize the Office of the President and to transfer functions from one department or agency to another;

WHEREAS, the creation of the Presidential Anti-Organized Crime Task Force and other task forces especially tasked to investigate and prosecute criminal syndicates and their protectors is imperative to bring about focus and substantive results in the campaign against criminality and corrupt practices;

WHEREAS, there is a need to identify and effectively prosecute criminal groups and their protectors in government through efficient intelligence and counter-intelligence efforts;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. ORGANIZATION. There is hereby created a Presidential Anti-Organized Crime Commission (PAOCC), hereinafter referred to as the Commission, under the Office of the President.

The existing task forces against organized crimes shall be under the control and supervision of the Commission.

The President may create or abolish task forces or special project groups as the need arises.

SECTION 2. COMPOSITION. The Presidential Anti-Organized Crime Commission shall be composed of the following:

The President	--	Chairman
The National Security Adviser	--	Vice-Chairman
The Secretary of Justice	--	Member
The Secretary of the Interior and Local Government	--	Member
The Secretary of National Defense	--	Member
The Chief of Staff, Armed Forces of the Philippines	--	Member
Director-General, Philippine National Police	--	Member
Four (4) representatives from the Private Sector to be appointed by the President	--	Member

The Chairman of the Commission may create an Executive Committee, define its functions and designate its members from among the members of the Commission.

The Commission shall exercise general control and supervision over the Task Forces or Special Project Groups. It shall enlist the assistance of civic and other similar associations and provide a forum for continuing consultation among concerned sectors of our society leading to the formulation of policies to be recommended to the President in the form of issuances and legislation.

SECTION 3. POWERS AND FUNCTIONS OF THE COMMISSION. The Presidential Anti-Organized Crime Commission (PAOCC) shall have the following powers and functions:

- a. Prepare and implement a fast track anti-crime and anti-graft and corruption action agenda and adopt appropriate measures to ensure an effective and efficient anti-crime drive;
- b. Conduct intelligence and counter-intelligence operations to identify government officials and employees, crime syndicates and their cohorts who are involved in criminal activities;
- c. Cause or direct the immediate arrest, investigation and speedy prosecution of crime syndicates, government officials and employees and their cohorts, with due regard to constitutional processes;
- d. Refer the cases at hand, as the Commission or the Task Forces, may deem proper and necessary, to the Department of Justice, and/or other appropriate law enforcement agencies for investigation or prosecution, as the case may be;
- e. Follow-up the progress of on-going investigation and prosecution of cases taken cognizance of by the Task Forces;
- f. Recommend the passage of appropriate anti-crime issuances and legislations;
- g. Select and recruit personnel from within the PNP, the AFP and other law enforcement agencies for assignment to the Task Forces subject to the conformity of the agency concerned;
- h. Enlist the assistance of any department, bureau, office, agency or instrumentality of the Government, including government-owned and/or controlled corporations, in the anti-crime and anti-graft and corruption drive, which may include the use of their respective personnel, facilities and resources for a more resolute prevention, detection and investigation of crimes and prosecution of their perpetrators;
Subject to the existing laws, grant monetary rewards or incentives to informants giving vital information leading to the successful prosecution of criminal offenders and corrupt government officials;
- j. Coordinate with the Witness Protection Security and Benefits Program Committee of the Department of Justice to evaluate and assess witnesses who may qualify under the provisions of Republic Act No. 6981, otherwise known as the Witness Protection and Benefit Act;
- k. Subject to the approval of the President, authorized access to documents, installations and facilities in pursuit of specific crime investigation over government agencies and government-owned or controlled corporations; and
Recruit civilian personnel and enlist their services for intelligence gathering efforts.

SECTION 4. OFFENSES COVERED. The Presidential Anti-Organized Crime Commission shall have the authority to take cognizance of the following crimes:

- a. Those committed by organized/syndicated crime groups, including but not limited to gunrunning, illegal logging, robbery/hold-up, kidnapping for ransom, white slavery, illegal
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- recruitment, carnapping, smuggling, piracy, drug trafficking, falsification of land titles and other government forms, large scale swindling, film piracy, counterfeiting and bank frauds;
- b. Those considered and punished as heinous crimes under Republic Act No. 7659 (Heinous Crime Law);
 - c. Those committed by the members of the Philippine National Police and/or the Armed Forces of the Philippines;
 - d. Those committed by officials and employees of government agencies including government agencies including government-owned and controlled corporations;
 - e. Such other criminal offenses as the President may determine from time to time.

An organized/syndicated crime group for purposes of this Executive Order means a group of two or more persons collaborating, confederating or mutually helping one another in the commission of any crime and sometimes enjoying the protection of people in the government and public service.

The President of the Philippines shall delineate and identify the specific offenses or crimes that will be handled by the Task Forces or Special Project Groups.

SECTION 5. AGENCIES ASSISTANCE. In the performance of its functions, the Commission and its Task Forces or Special Project Groups may call for assistance from any government agencies and instrumentalities including local governments.

SECTION 6. COMPOSITION AND LEADERSHIP OF TASK FORCES. The Task Forces or Special Project Groups shall be composed of selected PNP/AFP members and representatives from other government agencies. The Head of the Task Forces/Special Project Groups shall be appointed or designated by the President.

SECTION 7. COMMAND AND CONTROL. The flow of command and control of the Task Forces shall be as follows:

- a. The Task Force Chief shall report and be directly responsible to the President;
- b. The Task Force Chief shall have immediate supervision and control over all units of the Task Forces. He is authorized to designate duties and functions of personnel under him;
- c. The component units from the PNP, AFP, DOJ and selected/chosen representatives of other government agencies shall be attached to the Task Forces by their respective mother units. The Task Forces shall have direct operational and supervisory authority over these personnel.

SECTION 8. FUNDING. The budget of the Presidential Anti-Organized Crime Commission and its Task Forces shall be incorporated in the budget proposal of the Office of the President.

The Chairman of the Commission shall determine the budgetary allocation of the Task Forces/Special Project Groups, law enforcement agencies and the Armed Forces of the Philippines that are involved in the campaign against organized crimes.

SECTION 9. OPERATING GUIDELINES. The Commission and the Task Forces/Special Project Groups shall adopt, in coordination with concerned law enforcement agencies, such operating guidelines as may be necessary to implement this Executive Order, subject to the approval of the President. It shall submit to the President through the Commission, reports of its activities with appropriate recommendations for the information and guidance of the President.

The existing Task Forces shall continue to perform their respective functions as provided in the Executive Orders creating them except those provisions that are inconsistent with the provisions of this Executive Order.

SECTION 10. COORDINATING INSTRUCTIONS. The intentment of this issuance is to put strong and intensified focus against organized/syndicated crimes, heinous and related offenses to be addressed by the task Forces in the course of the government's anti-crime campaign, while the Philippine National Police (PNP) shall continue to be the primary general law enforcement agency of the country pursuant to Republic Act No. 6975, as amended. Accordingly, close coordination and cooperation shall be undertaken by the Chief of the Task Forces, the Chief, PNP and other heads of law enforcement agencies, to insure synergy in the overall anti-crime campaign. Vertical and lateral coordination among operating units, consistent with the security need to prevent compromise in police operations, is hereby enjoined.

SECTION 11. REPEALING CLAUSE. Any provision of Executive Order No. 8 issued on July 22, 1998, Executive Order No. 61 issued on January 15, 1999 and Executive Order No. 62 issued on January 15, 1999 inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

SECTION 12. EFFECTIVITY. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 28th day of September, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

EXECUTIVE ORDER NO. 296

**INTEGRATING THE PERSONNEL, PROGRAMS AND RESOURCES OF THE NATIONAL
STUD FARM WITH OTHER UNITS/AGENCIES OF THE DEPARTMENT OF AGRICULTURE**

WHEREAS, it is Government's policy to streamline its bureaucracy to attain higher efficiency, economy and effectiveness in its operations;

WHEREAS, the Department of Agriculture actively pursues this policy and is continuously reviewing its structure and operations to more effectively meet this objective;

WHEREAS, within the Department of Agriculture, there are units and agencies, personnel, programs and resources of which could be integrated to attain higher levels of productivity;

WHEREAS, the National Stud Farm, the Bureau of Animal Industry and the Bureau of Agriculture and Fishery Standards are agencies with complementary and crucial programs and concerns and which could be integrated consistent with the above goals.

WHEREAS, it is imperative that even with integration, the regulatory and other functions of the National Stud Farm must be discharged;

WHEREAS, there are humanitarian considerations in the implementation of the integration.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The personnel programs, assets and resources of the National Stud Farm are hereby transferred to the Bureau of Animal Industry and the Bureau of Agriculture and Fishery Standards and other agencies of the Department.

SECTION 2. The Secretary of Agriculture is hereby authorized to determine who, and what programs, assets and resources, will be transferred to which agency.

SECTION 3. The Secretary of Agriculture shall undertake the necessary steps to effect the integration and ensure the continuity of relevant programs and functions of the NSF and the protection of the interests of the personnel who will be transferred.

SECTION 4. The Department of Budget and Management is instructed to provide funds for the salaries and related benefits of the personnel of the NSF until the end of the year 2000. The budget required for personnel services and operating expenses for the NSF programs in subsequent years shall be integrated with either the BAI, the BAFPS or other agencies of the Department.

SECTION 5. All laws, executive orders, rules and regulations or parts thereof inconsistent with this Executive Order are hereby repealed, amended or modified accordingly.

SECTION 6. This Executive Order shall take effect immediately.

DONE in the City of Manila, Philippines, this 3rd day of October, in the year of our Lord Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 297
REGULATING THE MANUFACTURE, SALE, DISTRIBUTION AND USE OF
PNP UNIFORMS, INSIGNIAS AND OTHER ACCOUTREMENTS

WHEREAS, the PNP uniforms, insignias and other accoutrements are symbolic of a discipline and an image which portray the character and being of every policeman, most representative of a professional Philippine National Police;

WHEREAS, the use or wearing of PNP uniforms, insignias and other accoutrements projects at the very first instance an identity that establishes a distinctive recognition exclusive to every policeman and the Philippine National Police;

WHEREAS, the PNP uniforms, insignias and other accoutrements are easily available and/or procured from any manufacturer, seller, distributor, or supplier by any person, including unscrupulous and lawless individuals who make a mockery of their use for personal gain, unlawful purposes and/or other designs to degrade the policeman and the Philippine National Police;

WHEREAS, while Article 179, “Illegal use of uniforms or insignia” of Republic Act 3815, otherwise known as the Revised Penal Code of the Philippines penalizes any person who shall publicly and improperly make use of insignia, uniforms or dress pertaining to an office not held by such person or to a class of persons of which he is not a member; it does not include the illegal manufacture, sale and distribution of the same;

WHEREAS, while Republic Act No. 493 was also enacted prohibiting, among others, the wearing, use, manufacture and sale of insignias, decorations and medals, badges, patches and identification cards prescribed for the “Armed Forces” or “Constabulary”, it does not apply to the Philippine National Police;

WHEREAS, there is no law that governs and regulates the manufacture, sale, distribution and use of uniforms, insignias and other accoutrements of the Philippine National Police;

WHEREAS, to ensure that PNP uniforms, insignias and other accoutrements are manufactured, sold, distributed or supplied only by authorized manufacturer, distributor, supplier and/or seller and used exclusively by uniformed personnel of the PNP, there is a need for regulation;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The unauthorized manufacture, sale and distribution of PNP uniforms, insignias and other accoutrements is hereby prohibited. Any violation of this rule shall, after due notice and hearing, result in the immediate closure of the establishment, plant and/or office where the uniforms and other items are manufactured, stored, sold and/or distributed, the cancellation of its business license or permit, the condemnation, seizure and forfeiture of all paraphernalia used or intended to be used in the manufacture, sale and/or distribution and the imposition of reasonable administrative fines, without prejudice to the filing of administrative, civil and/or criminal actions.

SEC. 2. The use of PNP uniforms, insignias and other accoutrements by any person who is not a member of the uniformed Philippine National Police personnel is also prohibited. Any violation of this

rule shall, after due notice and hearing, be penalized by public censure which shall be published at least once in a newspaper of general circulation without prejudice to the filing of administrative, civil and/or criminal actions.

SEC. 3. The Philippine National Police shall adopt its own uniforms, insignias and other accoutrements for the exclusive use of its uniformed personnel. The uniforms and other items shall be subject to inspection and acceptance procedures of the Philippine National Police with each design and specification approved by the PNP Uniform and Equipment Standardization Board (UESB). As such, only those accredited by the PNP and the National Historical Institute are authorized to manufacture, sell or distribute the same.

SEC. 4. The Chief, Philippine National Police shall issue rules and regulations for the effective implementation of this Executive Order.

SEC. 5. All orders, issuances, rules and regulations or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

Done in the City of Manila, this 4th day of October, in the year of our Lord, two thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:
(Sgd.) **RONALDO B. ZAMORA**
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 298
ESTABLISHING THE COORDINATIVE AND INTEGRATION MECHANISM
FOR THE IMPLEMENTATION OF THE ZAMBAS INTEGRATED AGRICULTURAL
DEVELOPMENT PROGRAM

WHEREAS, the government's main thrust in Mindanao is the attainment of food security and the alleviation of poverty;

WHEREAS, in line with this thrust and Region IX's program of modernizing the agriculture and fishery sectors pursuant to the Agriculture and Fisheries Modernization Act (Republic Act No. 8435), the Zamboanga Peninsula and Basilan Province (ZAMBAS) Integrated Agricultural Development Program (ZIADP) was developed through the collaborative efforts of the provinces of Zamboanga del Sur, Zamboanga del Norte and Basilan, and the cities of Zamboanga, Dapitan, Dipolog and Pagadian, all comprising Region IX;

WHEREAS, the ZIADP is the centerpiece program that will pursue the agricultural and fishery development and modernization of Region IX.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order the following:

Section 1. *Establishment of the ZAMBAS Regional Project Development Board.* There is hereby established the ZAMBAS Regional Project Development Board, hereinafter referred to as the ZAMBAS Board, which shall oversee the implementation of the ZIADP in Region IX. The ZAMBAS Board shall be attached to the Office of the President.

Section 2. *Composition of the ZAMBAS Board.* The ZAMBAS Board shall be composed of the following: Chairman of the Regional Development Council (RDC) of Region IX; Provincial Governors of Zamboanga del Sur, Zamboanga del Norte and Basilan; Mayors of Zamboanga City, Dipolog City, Dapitan City, and Pagadian City; President of the Mayor's League of Region IX; the Representatives of the eight districts of Region IX; Regional Directors of the Department of Agriculture (DA), National Irrigation Administration (NIA), Bureau of Fisheries and Aquatic Resources (BFAR), Department of Agrarian Reform (DAR), Department of Environment and Natural Resources (DENR), Department of Public Works and Highways (DPWH), Department of the Interior and Local Government (DILG), and National Economic and Development Authority (NEDA); and the Chairperson of the Regional Agriculture and Fisheries Council (RAFC). The Chairperson and Vice-Chairperson of the Board shall be elected from among its members.

Section 3. *Powers and Functions of the ZAMBAS Board.* The ZAMBAS Board shall have the following powers and functions:

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- a. Formulate policies and guidelines and establish development goals within the context of the ZIADP;
 - b. Supervise, facilitate, orchestrate, and provide overall direction on the planning, timely implementation, and monitoring of all Program components and development activities;
 - c. Pool existing resources and encourage the support and participation of government and non-government institutions by creating task forces to expedite implementation of major development projects;
 - d. Review and endorse for the approval of Region IX RDC, the ZIADP's multi-year and annual plans and investment programs;
 - e. Review and approve the organization of the Project Planning and Coordinating Office (PPCO), and formulate implementing rules and regulations pertaining to the internal operations of the Office;
 - f. Review and endorse to the DBM, through the RDC, the annual budget for the Program, as well as for the operations of the ZAMBAS Board and the PPCO;
 - g. Submit to the Office of the President, the RDC, the NEDA Board and Congress annual reports on the ZIADP and such other reports as may be required; and
 - h. Perform such other functions as may be required by the President.

Section 4. *The Project Planning and Coordinating Office.* The PPCO is hereby established to serve as the technical and administrative secretariat of the Board. It shall be composed of representatives from the DA (as the lead agency), BFAR, DAR, DTI, and NIA.

Section 5. *Duties and Functions of the PPCO.* The PPCO shall determine the technical, financial and logistical requirements of the proposed activities as outlined in the ZIADP's Annual Work and Financial Plans; facilitate the release of funds; provide technical assistance; determine the feasibility and the management of the various sub-projects and activities to be implemented; monitor and evaluate the implementation of activities; coordinate the inputs of the various departments, agencies and entities involved in the implementation of the various activities; and perform project review.

Section 6. *Coordination and Integration Mechanism.* To promote harmonious working relationship and maintain an effective coordination mechanism among the development players in the area, the ZAMBAS Board, through the PPCO, shall closely coordinate with concerned agencies the sectoral plans and programs for the area to ensure integration and complementation of all development initiatives. Further, the ZAMBAS Board, through the PPCO, shall ensure that concerned agencies actively participate in meetings and consultations that the Board may initiate and hold.

Section 7. *Funding.* Funds necessary for the operation of the ZAMBAS Board and PPCO shall be sourced by the DBM from available resources, upon submission by the ZAMBAS Board of its work and financial plan.

Section 8. *Separability Clause.* If any part or provision of this Executive Order is held invalid or unconstitutional, the other parts or provisions not affected shall remain valid and effective.

Section 9. *Effectivity.* This Executive Order shall take effect fifteen (15) days after its publication in two (2) newspapers of national circulation.

DONE, in the City of Manila, this 5th day of October, in the Year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 299
EXPANDING THE MEMBERSHIP OF THE SPECIAL COMMITTEE ON SCHOLARSHIPS
CREATED UNDER THE CABINET RESOLUTION DATED 06 JUNE 1956

WHEREAS, the Special Committee on Scholarships (SCS) was created through a Cabinet Resolution dated 06 June 1956, and mandated to ensure that the requirements of the Economic and Development Program of the Government for skilled manpower and knowledge workers are met through the efficacious availment of foreign-assisted training programs available to the Government;

WHEREAS, the Economic and Development Program of Government embodies the vision and priorities of the President;

WHEREAS, there is a need to ensure that SCS operations are “guided by declarations of policies that may be issued from time to time by the Office of the President...” as provided for in Executive Order (EO) No. 129, s. 1968;

WHEREAS, the pursuit of the Economic and Development Program of the Government involves the corresponding development of the government’s human resources;

WHEREAS, the development of the government’s human resources requires a continuing education program especially in the tertiary and post-graduate levels;

WHEREAS, the foregoing concerns may be adequately addressed by expanding the membership of the SCS to include representatives from the Office of the President and the Commission on Higher Education;

WHEREAS, Section 76 of Republic Act No. 8760, otherwise known as the General Appropriations Act of 2000, authorizes the President to direct organizational changes in any department or agency;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Reconstitution of the SCS.* The composition of the Scholarship Committee Secretariat created under the Cabinet Resolution of June 6, 1956, is hereby amended as follows:

Chairman

Deputy Director-General of the National Economic and Development Authority (NEDA)

Members

- Undersecretary of the Department of Foreign Affairs
- Undersecretary of Department of Education, Culture and Sports
- A member of the Commission on Higher Education
- A member of the Civil Service Commission
- A representative of the academic community
- A representative from the Office of the President/ Presidential Management Staff

The Chairman and members of the Committee may designate qualified and competent representatives to act in their stead.

SEC. 2. *SCS Secretariat.* The Scholarship Assistance Secretariat of NEDA shall continue to serve as the Secretariat of the SCS.

SEC. 3. *Powers and Responsibilities of the SCS.* The SCS shall continue to exercise the powers and responsibilities vested upon it by the Cabinet Resolution creating the SCS, dated 06 June 1956, and Executive Order No. 129, dated 06 May 1968.

SEC. 4. *Repealing Clause.* The Cabinet Resolution of 6 June 1956, Executive Order No. 129 s. 1968, and all other executive orders, circulars, rules and regulations issued by the Office of the President or by any department, bureau, office or agency, inconsistent herewith, are hereby modified, amended or repealed accordingly.

SEC. 5. *Effectivity.* This Order shall take effect immediately.

DONE in the City of Manila, this 12th of October, in the year of Our Lord, 2000.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: Presidential Management Staff

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 299-A
CREATING A SPECIAL COMMITTEE TO TAKE CHARGE OF PLANNING AND EXECUTION
OF ACTIVITIES FOR NATIONAL DAY OF PRAYER AND FASTING FOR NATIONAL
STRENGTH AND UNITY AGAINST ALL ADVERSITIES

WHEREAS, Presidential Proclamation No. 47 signed on the 14th day of November 1998 declared the second day of Saturday of November every year a National Day of Prayer and Fasting for National Strength and Unity against all Adversities;

WHEREAS, the second Saturday of November for the year 2000 falls on the 11th day of November; and

WHEREAS, to ensure the successful observance of this day, there is a need to create a special committee to take charge of the planning and execution of the activities for said date and to declare 11th November 2000 as a Special Public Holiday;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby declare the 11th day of November 2000 as a special Public Holiday, to allow everyone to solemnly observe this Special Day for Prayer and Fasting for National Strength and Unity against all Adversities.

There is also hereby created a special Committee to formulate plans and devise ways and means for the successful execution of appropriate activities and ceremonies for the observance of the National Day of the Prayer and Fasting for National Strength and Unity Against All Adversities. The Committee shall be composed of the following:

Sec. Alfredo S. Lim, Department of Interior and Local Government	– Chairman
Sec. Ramon B. Cardenas, Head, PMS and Senior Deputy Executive Secretary	Vice Chairman
Sec. Artemio G. Tuquero, Department of Justice	– Member
Press Sec. Ricardo Puno, Jr.	– Member
Exec. Director Acmad M. Tomawis, Office on Muslim Affairs	– Member

The Chairman and Vice Chairman are authorized to request all national and local government offices and agencies to assist in the discharge of the Committee's functions and duties and to designate such personnel as they may require for the purpose.

All our people are requested, in the company of their loved ones, in their churches and in their homes, to fast and to observe moments of prayer for peace, for continuing strength in the midst of adversities, and for the alleviation of the plight of those who have suffered in these adversities, in such appropriate activities and ceremonies to be organized by the Special Committee in the Quirino Grandstand, Luneta, Manila.

All national and local publications and television and radio stations are requested to participate in generating awareness and disseminating information on the themes and activities in relation to this National Day of Prayer and Fasting for National Strength and Unity Amidst All Adversities.

IN WITNESS WHEREOF, I have set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 12th day of October, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 300
DECLARING AND DELINEATING THE LOAY ZONE UNDER THE ADMINISTRATIVE
JURISDICTION OF THE PHILIPPINE PORTS AUTHORITY.

WHEREAS, the port of Loay is one of the major and busiest port in the country.

WHEREAS, there is a need to expand the Port of Loay to accommodate projected increases in port traffic and to program the provision of the necessary port facilities to meet the demands of maritime commerce and trade within the region;

NOW, THEREFORE, I, **JOSEPH EJERCITO ESTRADA**, President of the Republic of the Philippines by virtue of the power vested in me by law, do hereby order:

SECTION 1. The territorial jurisdiction of the Port of Loay is hereby expanded and particularly described as follows:

“Beginning at the point marked 1 on the plan, thence to point 2 at a distance of 49.05m with bearing S36°30’W, thence to point 3 at a distance of 19.10m with bearing S12°00’W, thence to point 4 at a distance of 53.03m with bearing S57°11’E, thence to point 5 at a distance of 85.18m with bearing S36°02’W, thence to point 6 at a distance of 201.02m with bearing S87°16’W, thence to point 7 at a distance of 187.10m with bearing N8°30’E, thence to point 8 at a distance of 43.10m with bearing N42°45’E, thence to point 9 at a distance of 75.35m with bearing N23°40’E, thence to point 10 at a distance of 46.10m with bearing N10°10’W, thence to point 11 at a distance of 91.04m with bearing N00°25’W, thence to point 12 at a distance of 6.06m with bearing S89°21’E, thence to point 13 at a distance of 19.19m with bearing N20°05’E, thence to point 14 at a distance of 94.70m with bearing S80°15’E, thence to point 15 at a distance of 16.20m with bearing S54°50’E, thence to point 16 at a distance of 36.91m with bearing S12°00’E, thence to point 17 at a distance of 45.06m with bearing N75°38’W, thence to point 18 at a distance of 12.05m with bearing S18°13’W, thence to point 19 at a distance of 16.02m with bearing S20°10’E, thence to point 20 at a distance of 11.11m with bearing S10°30’W, thence to point 21 at a distance of 17.09m with bearing S75°45’E, thence to point 22 at a distance of 29.90m with bearing S30°10’W, thence to point 23 at a distance of 11.14m with bearing S48°48’E, thence to point 24 at a distance of 32.51m with bearing S50°50’E, thence to point 25 at a distance of 55.12m with bearing S20°05’W, thence to point 26 at a distance of 4.00m with bearing S70°08’E, thence to point 27 at a distance of 34.10m with bearing S04°44’W, thence to point 28 at a distance of 20.02m with bearing S35°25’E, thence to point 29 at a distance of 6.82m with bearing S46°50’E, thence to point 1, the beginning point at a distance of 19.08m with the bearing S46°55’E, all in all comprising a total area of 59,636.69 sq. m. more or less.”

SEC. 2. The Loay Port Zone, as expanded, is hereby placed under the administrative jurisdiction of the Philippine Ports Authority, which shall, consistent with the regional industrial plans of the Government, implement a program for the proper zoning, planning, development and utilization of the port pursuant to Presidential Decree No. 857, as amended.

SEC. 3. All other orders, proclamations and issuances or portions thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 4. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 12th day of October, in the year of our Lord, two thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 301

AMENDING EXECUTIVE ORDER NO. 293, S. 2000, “FOR THE HOLDING OF THE NATIONAL SUMMIT ON CHILDREN” AND EXECUTIVE ORDER NO. 294, S. 2000, “CREATING THE OFFICE OF THE PRESIDENTIAL ADVISER FOR CHILDREN’S AFFAIRS”

WHEREAS, Executive Order No. 293, series of 2000 directs all government offices, agencies and instrumentalities to give all assistance as may be required by the newly created National Steering Committee for the First National Summit on Children;

WHEREAS, Executive Order No. 294, series of 2000 directs all government offices, agencies and instrumentalities to give all assistance as may be required by the newly created Office of the Presidential Adviser for Children’s Affairs;

WHEREAS, Section 4 of Executive Order Nos. 293 and 294, series of 2000, consider as an administrative offense, failure of these offices, agencies and instrumentalities to provide such assistance;

WHEREAS, it would be more prudent to delete such sanctions and allow these agencies to provide assistance to the fullest of their capability;

NOW, THEREFORE, I JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order:

Section 1. Section 4 of Executive Order No. 293, s. 2000, is hereby amended to read as follows:

“**Section 4. Assistance from Other Government Agencies.** The National Steering Committee for the First National Summit on Children may call on any government office, agency, and instrumentality to provide assistance and support to the activities of the Committee.”

Section 2. Section 4 of Executive Order No. 294 is also amended to read as follows:

“**Section 4. Assistance from Other Government Agencies.** The Presidential Adviser for Children’s Affairs may call on any government office, agency, and instrumentality to provide assistance and support to the programs and projects of the Office of the Presidential Adviser for Children’s Affairs.”

Section 3. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 16th day of October, in the Year of our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 302

PROVIDING FOR THE CREATION OF THE INTER-AGENCY COMMITTEE FOR THE DEVELOPMENT AND MANAGEMENT OF LEYTE ENHANCED RESOURCE-BASED AREA (ERAP) FOR PRODUCTIVITY PROJECT

WHEREAS, it is the priority thrust of the government to ensure food security and pursuant thereto, it is desirable to promote the modernization of agriculture through the sustainable development of agricultural estates and zones;

WHEREAS, Leyte Sab-a Basin, having the strategic geographical comparative advantages and the needed natural resources, has the tremendous potentials to be a food basket and contribute to the food sufficiency of the country;

WHEREAS, the Enhanced Resource-Based Area for Productivity (ERAP) Project has been formulated to realize the above development potentials of the Leyte Sab-a Basin.

WHEREAS, there is a need to provide institutional mechanism to efficiently pursue the development of the Leyte Sab-a Basin, considering that the abolition of the Leyte Sab-a Basin Development Authority and the absence of any existing bodies to provide the coordinating mechanism covering the area.

WHEREAS, pursuant to Section 31, Chapter 10 Title III, Book III of Executive Order No. 292 otherwise known as the Administrative Code of 1987, the President “shall have continuing authority to re-organize the administrative structure of the Office of the President. For this purpose, he may take any of the following actions: x x x (3) Transfer any function under the Office of the President to any Department or Agency as well as transfer functions to the Office of the President from Departments and Agencies;”

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order the following:

Section 1. Creation of the Inter-Agency Committee for Leyte Sab-a Basin. There is hereby created the Inter-Agency Committee to coordinate the efficient implementation of the Enhanced Resource-based Agenda for Productivity (ERAP) Project.

Section 2. Composition. The above Inter-Agency Committee shall be chaired by the Chairman, Presidential Committee on Flagship Programs and Projects with the following members: Secretaries of the Department of Agrarian Reform, Department of Public Works and Highways, Department of Agriculture, Department of Environment and Natural Resources and the Provincial Governor of Leyte, as members.

The Committee may invite representatives of the regional offices of concerned government agencies in Eastern Visayas, local government units, non-government organizations and people’s organizations to perform tasks that are germane to the purposes of this Order.

Section 3. Duties and Responsibilities. The Committee shall have duties and responsibilities:

-
- a. Provide policy directions on the development of the area towards ensuring its consistency with the role of the Basin as a food basket;
 - b. In consultation with the concerned Local Government Units and private sector, formulate and implement multi-agency development program to promote the sustainable socio-economic development of the basin;
 - c. Coordinate, review and prioritize the implementation of policies and projects by government agencies and private sector affecting the area;
 - d. Promote the active private sector participation in the development of the area, specifically in the implementation of programs and projects designed to enhance the agricultural productivity of the Basin; and
 - e. Other duties and responsibilities which may be assigned by the President.

Section 4. Secretariat. The Provincial Government of Leyte shall provide secretariat and administrative support to the Committee in the discharge of its duties and responsibilities as well as technical services in the implementation of the above project.

Section 5. Implementing Guidelines. The Committee shall formulate and adopt, within thirty (30) day from the effectivity date of the Order, the implementing rules and regulations to efficiently implement the provisions of the same.

Section 6. Reportorial Requirements. The Committee shall submit to the President a quarter report on the progress of the development plan of the area, including the disposal status of the assets and properties of the defunct Leyte Sab-a Basin Development Authority, the rules and procedures for which shall be formulated by the Committee in coordination with the concerned agencies.

Section 7. Budget. There shall be no additional budget outlay appropriated on account of the creation of this Committee. The member agencies shall perform their respective activities as part of their regular and relevant functions without additional compensation.

Section 8. Effectivity. This Executive Order shall take effect immediately.

DONE, in the City of Manila, this 10th day of October, in the Year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 303
AMENDING EXECUTIVE ORDER NO. 444, S. 1997, PROVIDING FOR THE
RATIONALIZATION OF DUTY FREE STORES/OUTLETS AND THEIR OPERATIONS
IN THE PHILIPPINES PURSUANT TO EXECUTIVE ORDER NOS. 250, 250-A, S. 1995,
419, S. 1997 AND 140, S. 1993, AND FOR OTHER PURPOSES

WHEREAS, the operations of duty free shops have been expanded under existing administrative issuances;

WHEREAS, the operation of duty free shops in the Subic Special Economic and Freeport Zone and the Clark Special Economic Zone is authorized under existing laws to provide for the consumption/needs of their locators, which generate export receipts for government;

WHEREAS, Executive Order No. 444, s. 1997, while limiting the establishment of duty free shops to international ports of entry and the fenced-in areas of freeport zones as authorized by existing laws, granted special duty free shopping privileges and expanded the allowable items in duty free outlets;

WHEREAS, the current operations of duty free shops, particularly in terms of number of stores or outlets and range or scope of goods sold, have resulted in weakening government's efforts to protect local enterprises and products and have created opportunities to commit frauds upon customs;

WHEREAS, there is an imperative need to provide for an improved system of duty free shop operations consistent with the conventional concept and purpose of duty free shops as observed in most countries.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. *Prohibited Duty Free Shop Operations.* The operation of duty free shops located outside the country's international ports of entry and the fenced-in areas of the Clark Special Economic Zone (Clark) and the Subic Special Economic and Freeport Zone (Subic) shall be prohibited. The establishment of new duty free shops/outlets and the expansion of existing ones shall likewise be prohibited even within the international ports of entry and the fenced-in areas of Subic and Clark.

SEC. 2. *Termination of Special Shopping Privileges.* All special shopping privileges as granted under Section 3 of EXECUTIVE ORDER NO. 444, s. 1997, are hereby deemed terminated. The grant of duty free shopping privileges shall be restricted to qualified individuals as provided by law.

SEC. 3. *Allowable Items in Duty Free Stores/Outlets.* Only items that are traditionally sold in duty free shops in ports of entry abroad, mainly portable consumables and light durables, shall be held for sale in existing duty free stores. A *balikbayan* shall be allowed to buy one item of every product category of non-consumables whose selling price exceeds US\$200 in accordance with Republic Act No. 6768.

SEC. 4. *Implementing Rules and Regulations.* The implementing rules and regulations to effectively carry out the provisions of this Order shall be promulgated by the Department of Trade and Industry within two (2) weeks upon effectivity of this Order. The rules shall include, among others, the definition

of portable consumables and light durables and the provision for a transition period, not to exceed two (2) months from date hereof, for the implementation of this order.

SEC. 5. *Administrative Sanctions.* Violation of any of the provisions of this Order shall be subject to administrative sanction of suspension or cancellation of the operation of the concerned duty free shop.

SEC. 6. *Separability Clause.* The provisions of this Executive Order are hereby declared separable. In the event that provisions of this Executive Order are declared illegal or unconstitutional, the other provisions not so declared shall remain in full force and effect.

SEC. 7. *Amending Clause.* All provisions of executive orders, letters of instruction, issuances, memoranda and proclamations not consistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

SEC. 8. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila, this 20th day of October, in the year of our Lord, two thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 304

EFFECTING THE TRANSFER OF TWO HUNDRED HECTARES OF LAND FROM A PORTION OF LOT NO. 3895, CAD. 124, LOCATED AT BARANGAY SAN RAMON, ZAMBOANGA CITY, FROM THE ADMINISTRATION OF THE SAN RAMON PRISON AND PENAL FARM TO THE WESTERN MINDANAO STATE UNIVERSITY

WHEREAS, the Western Mindanao State University College of Agriculture is located in Barangay San Ramon, Zamboanga City;

WHEREAS, the said College occupies an area of twenty (20) hectares acquired by virtue of P.D. No. 1427 on June 10, 1978;

WHEREAS, twenty (20) hectares is inadequate and deficient in satisfying the requirements for an agricultural college;

WHEREAS, the University envisions a residential campus for the other allied colleges and that the San Ramon Campus is also planned to be the site of a housing project for all employees of the University;

WHEREAS, finally, there is a tract of idle land consisting of 938 hectares adjacent to the San Ramon Campus known as Lot No. 3895, Cad. 124, now administered by the San Ramon Penal Colony;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order and direct:

SECTION 1. Transfer. The transfer of Two Hundred (200) Hectares from a portion of Lot No. 3895, Cad. 124, located at San Ramon, Zamboanga City, from the administration of the San Ramon Penal Colony to the Western Mindanao State University, more particularly the area immediately adjacent to the northern boundary of the College of Agriculture and the frontage on the eastern boundary towards the seashore.

SEC 2. Purpose. The transferred 200 hectares shall be used by the University for its College of Agriculture and some other colleges that may be transferred to this site, including the development of a housing project for all the employees of the University.

SEC 3. Implementation. The Director of the Bureau of Lands is directed to facilitate the immediate survey and delineation of the said 200 hectares from the area above-mentioned, identify the technical descriptions thereof and prepare all the necessary plans and document to effectively implement the land transfer.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 21st day of October, in the year of Our Lord, two thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:
(Sgd.) **RONALDO B. ZAMORA**
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 305

DIRECTING THE DEPARTMENT OF BUDGET AND MANAGEMENT TO DEDUCT FROM THE RESPECTIVE CY 2000 IRA SHARES OF ALL BARANGAYS THE AMOUNT OF FOUR THOUSAND PESOS (P4,000.00) PER BARANGAY AS AMNESTY SETTLEMENT OF UNPAID MEMBERSHIP DUES TO THE NATIONAL LIGA NG MGA BARANGAY AND TO DIRECTLY REMIT THE COLLECTED AMOUNT IN LUMP SUM TO THE NATIONAL LIGA

WHEREAS, the Liga ng mga Barangay was organized pursuant to Section 491 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991;

WHEREAS, under the Constitution and By-Laws of the National Liga ng mga Barangay which is made suppletory to the pertinent chapter of the Local Government Code, all barangays are required to pay membership dues to the National Liga ng mga Barangay;

WHEREAS, it has been reported that there are barangays with unpaid membership contributions to the Liga;

WHEREAS, there is an urgent need to assist the National Liga ng mga Barangay in facilitating the collection of unpaid membership fees of all member-barangays.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order the following:

SECTION 1. The Department of Budget and Management (DBM) shall deduct from the respective CY 2000 IRA shares of all barangays the amount of Four Thousand Pesos (P4,000.00) per barangay as amnesty settlement in payment of current and past due membership fees to the National Liga ng mga Barangay and to remit the collected amount in lump sum to the National Liga.

SEC. 2. The amounts thus deducted shall be remitted by the DBM to the National Liga in two (2) tranches, to wit: the 1st Tranche in the amount equivalent to the lump sum of Two Thousand Pesos (P2,000.00) per barangay to be deducted from the 3rd Quarter DBM release of the corresponding computed IRA shares of the respective member-barangays, and the 2nd Tranche in the amount equivalent to the lump sum total of Two Thousand Pesos (P2,000.00) per barangay to be deducted from the 4th Quarter DBM release of the corresponding computed IRA shares of the respective member-barangays. The remittance of the 1st and 2nd Tranches shall be made within the 3rd and 4th quarters of CY 2000, respectively.

SEC. 3. The disposition of the said funds by the National Liga ng mga Barangay shall be in accordance with the pertinent provisions of its Constitution and By-Laws on the sharing scheme for collected membership dues, and subject to applicable accounting and auditing rules and regulations.

SEC. 4. This Executive Order shall take effect immediately.

DONE, in the City of Manila, this 21st day of October, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 306

FURTHER STREAMLINING THE BUREAU OF INTERNAL REVENUE TO IMPROVE ADMINISTRATIVE CONTROL OVER CERTAIN CATEGORIES OF TAXPAYERS AND ENHANCE EFFECTIVENESS OF ITS COMPUTERIZED INTEGRATED TAX SYSTEM BY AMENDING CERTAIN PROVISIONS OF EXECUTIVE ORDER NO. 175.

WHEREAS, increased revenue collection is urgently needed to finance vital economic and developmental programs of the government and to attain fiscal stability in the midst of current Asia’s economic crisis;

WHEREAS, pursuant to these goals, a further streamlining of the organizational structure of the Bureau of Internal Revenue is in order to reinforce the tax administration and enforcement capabilities of the Bureau.

WHEREAS, this streamlining of the organizational structure of the Bureau is intended to truly transform the Bureau into an effective and efficient revenue collecting agency.

WHEREAS, there is a need to integrate the functions of the Excise Taxpayers Service with that of the Large Taxpayers Service to effect a well-defined institutional structure for all large taxpayers;

WHEREAS, Section 3, Article XVIII of the Philippine Constitution, grants the President of the Philippines the continuing authority to reorganize the national government, which includes the power to abolish offices, to transfer functions, services and activities.

WHEREAS, under Section 20, Book III of Executive Order No. 292 (Revised Administrative Code), the President is empowered to exercise such other powers and functions vested in him which are provided for under the law.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the power vested in me by law, do hereby order:

Section 1. Paragraph 1 (1.1) of Section 1 of Executive 175 is hereby amended to read as follows:

“Section 1. xxx xxx xxx

“1.1. The following Services shall be placed directly under the Office of the Commissioner

“1.1.1 xxx xxx xxx

“1.1.2 xxx xxx xxx

“1.1.3. The **Large Taxpayers Service**, which shall be headed by an Assistant Commissioner, shall have three (3) assistants, to be named Head Revenue Executive Assistant, one each for Regular Large Taxpayers, for Excise Taxpayers, and for Administrative and Enforcement. The service shall be composed of eight (8) division: Large Taxpayers Audit and Investigation Division I (Regular Large Taxpayers), Large Taxpayers Audit and Investigation Division II

(Excise Taxpayers), Large Taxpayers Field Operations Division, Large Taxpayers Assistance Division I (Regular Large Taxpayers), Large Taxpayers Assistance Division II (Excise Taxpayers), Large Taxpayers Collection and Enforcement Division, Large Taxpayers Document Processing and Quality Assurance Division and Large Taxpayers Programs Division. Likewise, Large Taxpayers District Offices under the direct supervision and control of Large Taxpayers Service shall be established in Regional Offices with identified Large Taxpayers..

Section 2. The Operations Group, which shall be supervised by a Deputy Commissioner, which was previously composed of four (4) services shall now be composed of three (3) services only, namely, the Taxpayers Assistance Service, the Assessment Service and the Collection Service, resulting in the abolition of the Excise Taxpayers Service which functions are now integrated with the Large Taxpayers Service under this Order.

Section 3. All other provisions in the said Executive Order No. 175 shall remain the same.

Section 4. Repealing Clauses. - All existing rules and regulations or parts thereof which are inconsistent with the provisions of this Executive Order are hereby revoked.

Section 5. Effectivity. - This Executive Order shall take effect immediately.

DONE in the City of Manila, this 31st day of October, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.)
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 307
PROVIDING FOR A NATIONAL POLICY ON THE ALLOCATION AND
USE OF RADIO FREQUENCIES

WHEREAS, the radio frequency spectrum is a scarce public resource, and there is a need for a transparent, fair, and economically efficient procedure that shall expedite its allocation to service providers who will use it efficiently and effectively to meet public demand for telecommunications services;

WHEREAS, international 3rd Generation (“3G”) standards technology is the family of compatible mobile wireless technologies that the International Telecommunication Union has approved for terrestrial radio interface, and that will be adopted globally for full systems harmonization, resulting in considerable interest and demand for 3G spectrum frequencies;

WHEREAS, not all 2nd Generation (“2G”) frequencies allocated by the National Radio Frequency Allocation Table (“NRFAT”) for mobile telecommunications systems have been allocated to current 2G mobile networks;

WHEREAS, under Executive Order No. 546 dated July 23, 1979, the National Telecommunications Commission (“NTC”) is vested with the functions to “grant permits for the use of radio frequencies for wireless telephone and telegraph systems and radio communication systems”, and “sub-allocate series of frequencies of bands allocated by the International Telecommunications Union to the specific services”;

WHEREAS, under NTC Memorandum Circular No. 3-3-96 (“MC 3-3-96”), the allocation of radio frequencies is subject to (a) the periodic review of the (NRFAT), (b) consultation with the industry and/or affected parties, (c) consistency with the International Table of Radio Frequency Allocation, and with national priorities, (d) customer demand and radio frequency planning studies, and (e) allocations reserved for customer access services, broadcast services, maritime, aeronautical and other safety services, military and government radio stations;

WHEREAS, spectrum auctions in other countries show that well-designed auctions offer a more transparent, fair, and economically efficient option for allocating select frequencies;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, hereby direct and order, as follows:

SECTION 1. Institutionalizing. Radio Frequency Auctions. The radio frequency spectrum, including 3G radio frequency spectrum, and other parts of the radio frequency spectrum not yet allocated at the time of this order’s effectivity, shall be allocated through auction, subject to the terms and conditions as approved by the Joint Committee formed herewith.

SECTION 2. Formation of a Joint Committee. A three-member committee is hereby created to promulgate guidelines, as well as manage and supervise the allocation and auction of radio frequency spectra. The Committee shall be composed of the Commissioner of the National Telecommunications Commission (NTC), and shall have one member from the Department of Transportation and Communications (DOTC), and one from the Economic Coordinating Council (ECC).

Decisions of the Joint Committee shall be determined by a majority vote of its members.

SECTION 3. Powers and Functions of the Committee. For each set of spectrum auctions, the Joint Committee shall have the following functions and responsibilities:

- a) Within sixty (60) days from the effectivity of this order, promulgate bidding guidelines that will cover, among others, the following concerns:
 - i] designate the actual frequencies of the license to be auctioned off
 - ii) prescribe the terms and conditions of each license, including the obligation to provide local exchange carrier service or its equivalent, as well as the number of years for which the license is granted
 - iii) set the indicative or floor price for each license
 - [iv] instruct on the use or transfer of the auction proceeds
- (b) formulate the rules and regulations governing the allocation of new radio frequencies
- (c) manage and supervise the frequency auction process to be conducted
- (d) contract the services of financial and/or technical advisers of proven expertise in the allocation of radio spectrum frequencies
- (e) if necessary, create a working committee and/or secretariat that will facilitate the tasks of the Committee.

SECTION 4. Implementation. The NTC, the DOTC, the ECC and other appropriate government instrumentalities are hereby directed to take all the necessary steps to implement the purposes and objectives of this Executive order.

SECTION 5. Repealing Clause. All executive orders, administrative orders, and other executive issuances, including Memorandum Circulars from the National Telecommunications Commission, inconsistent with this order are hereby repealed, modified, or amended accordingly.

SECTION 6. Effectivity Clause. This Order shall take effect immediately.

DONE in the City of Manila, this 31st day of October, in the Year of our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 308
ACCELERATING THE PRIVATIZATION OF THE NORTH HARBOR

WHEREAS, the state recognizes the need to privatize and modernize the North Harbor so as to improve its ability to service its users efficiently and to help it attain world-class efficiency;

WHEREAS, the Philippine Ports Authority (PPA) is mandated by Section 2, Paragraphs (a) & (b) of its Charter, Presidential Decree No. 857, as amended, to optimize port financing and development and to ensure the smooth flow of waterborne commerce passing through the country's ports;

WHEREAS, privatization of the North Harbor will free-up the PPA from the day to day management of the harbor and allow it to set its sites on aggressively developing the country's outports as provided for by Section 2 Paragraphs (c) & (e) of its Charter, Presidential Decree No. 857, as amended;

WHEREAS, in order to maximize the benefits of privatization there should be many bidders; the bidding process should be transparent; and the Terms of Reference should include clear commitments, in terms of deliverables, to modernize the North Harbor;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines by virtue of the power vested upon me by law, do hereby order:

SECTION 1. The Department of Transportation and Communication, through the PPA, to expedite the bidding of the North Harbor and encourage the participation of many bidders by:

- a. Splitting the North Harbor into two packages – the first package to include Slip 0, Piers 2 to 12, while the second package will include Piers 14, 16 & the Vet Yard.
- b. To include in the bidding one strategic port in Mindanao;
- c. To include gantry cranes at all relevant piers in the Terms of the bidding process and such other commitments necessary to ensure the development of modern terminal facilities;
- d. To appoint an independent Watchdog composed of members of the private sector endorsed by the Philippine Chamber of Commerce and Industry and who represent users of the North Harbor to oversee the privatization and bidding process of the PPA.
- e. This will include the feasibility study, the required infrastructure investment and other related matters;
- f. The bidding process should ensure that all domestic cargoes are transferred to local terminals situated outside the Pier compound while all international cargoes will be left behind to be loaded for international destined vessels.

This will further decongest the R10 highway which will result in smoother traffic for vehicles heading towards Malabon, Navotas and other Northern destinations.

SECTION 2. Repealing Clause. All Executive orders, rules, regulations and other issuances or parts thereof which are inconsistent with the provisions of this Executive Order are hereby revoked or modified accordingly.

SECTION 3. Effectivity. This Executive order shall take effect immediately upon approval.

DONE in the City of Manila, this 31st day of October, in the year of our Lord, two thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

(Sgd.) **RONALDO B. ZAMORA**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 309

PRESCRIBING GUIDELINES, RULES AND REGULATIONS FOR THE DISTRIBUTION OF PROCEEDS OF LEASES, JOINT VENTURES AND TRANSACTIONS OTHER THAN SALE INVOLVING PORTIONS OF METRO MANILA MILITARY CAMPS UNDER REPUBLIC ACT NO. 7227, AS AMENDED BY REPUBLIC ACT NO. 7917

WHEREAS, Section 8 of Republic Act No. 7227, as amended by Republic Act No. 7917, authorizes the President to sell certain Metro Manila camps, including Fort Bonifacio and Villamor Air Base, in whole or in part, in accordance with the provisions of existing laws and regulations governing sales of government properties;

WHEREAS, Republic Act No. 7227, as amended by Republic Act No. 7917, contemplates a situation where the lands that were transferred to the Bases Conversion Development Authority (BCDA) for the purpose of disposing the same could be sold at rates beneficial to the government;

WHEREAS, the present depressed state of the country's real estate market, influenced by both global and domestic economic factors, renders the outright sale of the military camps disadvantageous to the government;

WHEREAS, BCDA, through the exercise of sound business judgment pursuant to its mandate, has deemed it more beneficial to the interests of the government to enter into commercial transactions other than sale involving certain portions of Metro Manila military camps instead of selling them;

WHEREAS, BCDA is under the direct control and supervision of the Office of the President for purposes of policy direction and coordination;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. *Distribution of Proceeds of Leases, Joint Ventures and Transactions Other Than Sale* – Proceeds of leases, joint ventures and all transactions other than sale entered into by the Bases Conversion Development Authority (BCDA) involving portions of Metro Manila military camps shall be distributed equally between BCDA and the Armed Forces of the Philippines (AFP).

Section 2. *Coverage* – This Executive Order shall cover the proceeds of all transactions mentioned in the preceding Section, including those previously executed.

Section 3. *Basis of Sharing* – The distribution shall be based on the proceeds of the transaction, net of the expenses directly incurred for said transaction. "Direct expenses" refers to those expenses directly attributable to the transaction that would not have been incurred by BCDA and AFP if the decision to enter into such transaction were not made. Such expenses shall be jointly determined by representatives of BCDA and the Department of National Defense (DND).

Section 4. *Utilization of Proceeds* – The share of the BCDA from the proceeds of the transactions contemplated in Section 1 shall be considered its corporate income the utilization of which shall be determined by the Board of Directors of BCDA. For its part, the share of the AFP shall be utilized for the AFP Modernization Program under Republic Act No. 7898: *Provided*, That proceeds received after the termination of the AFP Modernization Program may still be used to satisfy multi-year obligations

incurred pursuant to such Program: *Provided, further*, That thereafter, AFP's share may be utilized for other modernization projects as may be determined by the AFP and approved by the Secretary of National Defense.

Section 5. *Remittance of AFP's Share* – Within two (2) weeks after receipt of actual payment from the other transacting party, BCDA shall remit AFP's share directly to the Armed Forces of the Philippines Modernization Act Trust Fund (Fund 172) in the Bureau of the Treasury.

Section 6. *Effectivity* – This Executive Order takes effect immediately.

DONE in the City of Manila, this 3rd day of November, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: Presidential Management Staff

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 310

AUTHORIZING THE ADOPTION AND IMPLEMENTATION OF THE PHILIPPINE NATIONAL STRATEGIC FRAMEWORK FOR PLAN DEVELOPMENT FOR CHILDREN, 2000-2025 OR CHILD 21 AND ITS ACCOMPANYING MEDIUM TERM PLAN AND FRAMEWORK

WHEREAS, the Council for the Welfare of Children (CWC) as the highest policy making body for children has the mandate to formulate long range programs for the welfare and best interest of children;

WHEREAS, in 1991 the Philippines through the CWC has formulated a national plan known as the Philippine Plan of Action for Children (PPAC), to implement the provisions of the Convention on the Rights of the Child (CRC);

WHEREAS, the PPAC gained the support of the government through Proclamation 855 which called upon the CWC to lead in the operationalization of the plan and directed agencies and organizations to support the implementation of the plan;

WHEREAS, as a successor plan to the PPAC, CHILD 21, a 25 year strategic framework for planning programs and interventions that promote and safeguard the rights of Filipino children was formulated;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order and direct the following:

SECTION 1. *Adoption of the Strategic Framework.* Child 21 shall be adopted and will serve as the framework for all programs, activities and initiatives for children. Moreover, accompanying Medium Term Development Plans and Sectoral Frameworks that will be within the context of Child 21 such as the Framework for Action Against Commercial Sexual Exploitation of Children shall also be adopted.

SEC 2. *Lead Agency.* The Council for the Welfare of Children shall undertake activities for its dissemination and implementation through its different structures/committees on children at the different levels.

SEC 3. The following agencies are hereby directed to integrate Child 21-related programs and activities to their respective yearly budget proposals. They are further directed to have specific performance indicators against their approved budgets.

- a. Department of Social Welfare and Development;
- b. Department of Health;
- c. Department of Education, Culture and Sports;
- d. Department of Labor and Employment;
- e. Department of Justice;
- f. Department of the Interior and Local Government;
- g. Department of Agriculture;
- h. National Economic and Development Authority;
National Nutrition Council; and
National Youth Commission

SEC 4. All Local Government Units are hereby enjoined to integrate Child 21 in their Local Development Plans and charging the related programs and activities against their Internal Revenue Allotment (IRA).

SEC 5. *Participation of Civil Society.* Non-Government Organizations, People's Organizations, Children's Organizations, Church-based Organizations and other concerned groups are encouraged to contribute to the achievement of the goals and objectives of Child 21.

The Business Sector is also encouraged to support programs, services and activities for children both of the GOs and NGOs.

SEC 6. *Department Orders.* All member agencies of the CWC shall issue department orders adopting and implementing programs and projects to achieve the Child 21 goals and targets as indicated in their Sectoral/Agency Plans.

SEC 7. The sum of Five Million (P5,000,000.00) Pesos is hereby appropriated from the President's Social Fund to defray the expenses of the Council for the Welfare of Children in the implementation of this Executive Order. Thereafter, such sums as may be necessary for this purpose shall be included in the annual General Appropriations Act for the CWC and other concerned agencies.

SEC 8. This Executive Order shall take effect immediately.

Done in the City of Manila, this 3rd day of November, in the year of Our Lord, two thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: Presidential Management Staff

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 311
CREATING A COMMITTEE TO EVALUATE THE PRESENT TAX SYSTEM,
TO STUDY OTHER METHODS OF TAXATION AND TO RECOMMEND
REVISIONS IN THE PRESENT SYSTEM OF TAXATION

WHEREAS, there is a need to determine whether the existing systems of taxation are responsive to the requirements of government, taking into account the expenditures necessary for the accomplishment of its various programs that inure to the public welfare and its day-to-day expenses in delivering governmental services to the public;

WHEREAS, to improve the government's tax collection efforts it is necessary to increase the taxpayer base as well as simplify the types and manner of collecting taxes;

WHEREAS, the expansion of the taxpayer base and simplification of taxes may be greatly enhanced by a system of taxation that encourages voluntary compliance, and reduction of the internal revenue authorities' discretion to determine the amount of tax to be collected.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, hereby direct and order, as follows:

Section 1. *Creation of a Committee.* There is hereby created a Tax Reform Committee ("the Committee") composed of the Secretary of the Department of Finance (DOF), who shall act as its chairman, the Commissioner of the Bureau of Internal Revenue (BIR), the Executive Director of the National Tax Research Center (NTRC), and two representatives from the private sector who shall be invited by the Committee Chairman. The Committee Chairman shall also invite the Chairmen of the Ways and Means Committees of the Senate and of the House of Representatives who, upon their acceptance of the invitation, shall be a part of the Tax Reform Committee.

The Committee shall study possible changes to existing tax laws that will comply with the objectives of this Executive Order, and recommend the same for their passage into law.

Section 2. *Consultation with Relevant Sectors; Creation of Sub-Committees.* In arriving at its recommendations, the Committee shall take all efforts to consult with those sectors of the public that will be affected by the proposed changes to the tax laws. To facilitate its work the Committee may create technical working committees, as well as a secretariat.

Section 3. *Committee Report.* Within ninety (90) days from the effectivity of this order, the Committee shall report to this Office and to the Ways and Means Committees of the Senate and of the House of Representatives the progress of its efforts, submitting, if possible, a draft of its recommended legislation.

Section 4. *Repealing Clause.* All executive orders, administrative orders, and other Executive issuances, including memorandum orders of the DOF, BIR and NTRC inconsistent herewith are hereby repealed, modified, or amended accordingly.

Section 5. *Effectivity Clause.* This Order shall take effect immediately.

DONE in the City of Manila, this 3rd day of November, in the Year of Our Lord, Two Thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:
(Sgd.) **RONALDO B. ZAMORA**
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 312

ESTABLISHING THE ERAP'S SAGIP NIYUGAN PROGRAM AS AN EMERGENCY MEASURE TO ALLEVIATE THE PLIGHT OF COCONUT FARMERS ADVERSELY AFFECTED BY LOW PRICES OF COPRA AND OTHER COCONUT PRODUCTS, AND PROVIDING FUNDS THEREFOR

WHEREAS, several legislations were enacted imposing coconut levies intended to establish funds for the support and development of the coconut industry and for the benefit of coconut farmers;

WHEREAS, pursuant to the said legislation, the United Coconut Planters Bank as the designated Administrator of the Coconut Levy Funds under the statutory provisions of Presidential Decree No. 755 and Presidential Decree No. 1468, invested a portion of the Coconut Consumers Stabilization Fund (hereinafter referred to as the Coconut Industry Investment Fund ["CIIF"]), not required to be utilized for the purposes for which said Funds were established, in shares of stock of various corporations, including San Miguel Corporation ("SMC");

WHEREAS, the shares of stock in SMC acquired through the use of the CIIF (hereinafter referred to as the "CIIF SMC Shares") are registered in the names of various corporations (hereinafter referred to as the "CIIF Holding Companies") which are likewise owned and controlled by the CIIF;

WHEREAS, said CIIF Holding Companies have been sequestered by the Presidential Commission on Good Government ("PCGG") by virtue of Executive Order Nos. 1, 2, 14 and 14-A;

WHEREAS, by reason of the sequestration of businesses established and the assets and properties acquired through the use of the coconut levy funds, including the CIIF SMC Shares, such businesses, property and assets and the CIIF SMC Shares have not been utilized for the benefit of their beneficiaries;

WHEREAS, the issue of the ownership of the coconut levy funds, as well as the businesses and assets established therewith, including the CIIF SMC Shares, is presently pending before the Sandiganbayan in Civil Case No. 0033, entitled "Republic of the Philippines vs. Eduardo Cojuangco, Jr. et al.";

WHEREAS, the Supreme Court had declared in G.R. No. 75713 that:

"The utilization and proper management of the coconut levy funds, raised as they were by the State's police and taxing powers are certainly the concern of the Government. It cannot be denied that it was the welfare of the entire nation that provided the prime moving factor for the imposition of the levy. It cannot be denied that the coconut industry is one of the major industries supporting the national economy. It is, therefore, the State's concern to make it a strong and secure source not only of the livelihood of a significant segment of the population but also of export earnings the sustained growth of which is one of the imperatives of economic stability. The coconut levy funds are clearly affected with public interest." (Philippine Coconut Producers Federation, Inc. (COCOFED), et al. vs. Presidential Commission on Good Government (PCGG), et al., G.R. No. 75713, Oct. 2, 1989, 178 SCRA 236, 252);

WHEREAS, the Supreme Court, in a Resolution issued on December 13, 1994 in G.R. No. 96073, entitled “Republic vs. Sandiganbayan (First Division), et al.” Resolved to “to DENY the Solicitor General’s (a) Urgent Motion to Resolve Legal Question on the Character of the Coconut Levy Funds and to Declare as Unconstitutional Section 5, Article III, P.D. 1468” filed in behalf of the PCGG. Further, in its resolution of March 26, 1996, in the same case, the Supreme Court, resolved “to DENY the Solicitor General’s prayer to: (a) declare the coconut levies collected pursuant to various issuances as public funds; (b) declare unconstitutional Section, Article III of Presidential Decree No. 1468”;

WHEREAS, the delay in the resolution of the aforesaid issues relating to the nature and ownership of the CIIF Investments has been inimical to the coconut industry and the coconut farmers;

WHEREAS, to immediately address the abnormal price situation in the coconut industry sector brought by worldwide glut of fats and oils in the world market, there is a need to launch an income supplement program for coconut farmers entitled “ERAP’s Sagip Niyugan Program” that will provide then immediate relief from the adverse effects of extremely low prices of copra and husked nuts;

WHEREAS, the appropriate funding for the ERAP’s Sagip Niyugan Program is the coconut levy fund that may be generated from the disposition or sale of CIIF SMC Shares and such other property and assets acquired through or by entities financed by the coconut levy fund;

WHEREAS, the coconut farmers deserve to avail of the benefits of the coconut levy fund at this time when they suffer from economic hardships and dislocation;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, hereby direct and order, as follows:

Section 1. Establishment of the ERAP’s Sagip Niyugan Program – The ERAP’s Sagip Niyugan Program is hereby created to provide immediate income supplement to coconut farmers and to encourage the creation of a sustainable local market demand for coconut oil and other coconut products.

Section 2. Features of the ERAP’s Sagip Niyugan Program – The Program shall provide the coconut farmers and coconut processing sector the following assistance:

- (a) Income Supplement Projects, for coconut farmers to sell their copra and husked nuts at millgate price or better, as follows:
 - (1) Transport allowance to coconut farmers where government shoulders the costs of transport of copra and husked nuts from farm to mill until prices go beyond the production cost of P6.04 per kilogram of copra.;
 - (2) Marketing assistance to coconut farmers, including transport equipment assistance to coconut farmer organizations and accredited oil mills or desiccators;
 - (3) Direct buying of copra by the National Food Authority (NFA) at a base price determined by the Philippine Coconut Authority (PCA);
 - (4) Income support on regular sales of copra and husked nuts directly benefiting coconut farmers through the issuance of incentive coupons the value of which, as determined by PCA, shall be based on the volume delivered; and
 - (5) Livestock and seedling dispersal through the PCA and accredited farmer organizations.

-
- (b) Coconut Fuel Project which will utilize crude coconut oil (CNO) and coconut methyl ester (coco-diesel) as substitute or extender for bunker fuel and diesel fuel, respectively:
- (1) Bunker Fuel-Coconut Oil Complementation Project, where bunker fuel users may substitute 5% to 10% of their fuel requirement with CNO;
 - (2) Diesel Fuel-Coconut Methyl Ester Complementation Project, where diesel fuel users may substitute up to 70% of their diesel fuel requirement with coco-diesel;
 - (c) Accelerate the implementation of priority projects under the Maunlad Na Niyugan Tugon Sa Kahirapan Program adopted by the Administration under E.O. No. 210, dated February 10, 2000, including, but not limited to, processing of coconut products and by-products, establishment of small village type oil mills, operation of sari-sari stores, livestock dispersal, aquaculture and horticulture.

Section 3. Implementation of the ERAP's Sagip Niyugan Program – The Program shall be implemented through a joint venture agreement between the PCA and accredited farmer organizations with nationwide, regional, provincial or municipal memberships and network. The PCA shall issue such guidelines as may be necessary in the proper and expeditious implementation of the joint venture agreement.

Section 4. Funding – Assets acquired through the coconut levy funds or by entities financed by the coconut levy funds identified by the President for appropriate disposal or sale, shall be sold or disposed to generate a maximum fund of ONE BILLION PESOS (P1,000,000,000.00) which shall be managed by a Committee composed of a Chairman and four (4) members to be appointed by the President whose term shall be co-terminus with the Program. The Committee is authorized to organize a Secretariat for the effective performance of its functions and responsibilities. The Committee may authorize the disbursement of an amount not to exceed two percent (2%) of the fund to defray personnel and maintenance and operating costs of the Committee and its Secretariat, consultative meetings with coconut farmers and information dissemination of the Program.

The PCGG, Office of the Solicitor General and other appropriate government instrumentality are hereby directed to take all necessary steps to implement the purposes and objectives of this Executive Order.

Section 5. Audit of Fund and Submission of Report – The Committee, by a majority vote, shall engage the services of a reputable auditing firm to conduct periodic audits of the fund. It shall render a quarterly report on all pertinent transactions and availments of the fund to the Office of the President within the first three (3) working days of the succeeding quarter.

Section 6. Termination of the Program – The Program shall be considered terminated upon the exhaustion of the P1 Billion fund.

Section 7. Authority of the President to Extend the Program – The President may, by appropriate issuances and when the situation so warrants, extend the effectivity of the Program and provide additional funds therefor.

Section 8. Repealing Clause – All executive orders, rules and regulations inconsistent herewith are hereby revoked, amended revised and superceded accordingly.

Section 9. Effectivity – This Order shall take effect immediately.

Done in the City of Manila, this 3rd day of November, 2000.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 313

RATIONALIZING THE USE OF THE COCONUT LEVY FUNDS BY CONSTITUTING A “FUND FOR ASSISTANCE TO COCONUT FARMERS” AS AN IRREVOCABLE TRUST FUND AND CREATING A COCONUT TRUST FUND COMMITTEE FOR THE MANAGEMENT THEREOF.

WHEREAS, several legislations were enacted imposing coconut levies intended to establish funds for the support and development of the coconut industry and for the benefit of coconut farmers;

WHEREAS, pursuant to said legislations, the United Coconut Planters Bank as the designated Administrator of the Coconut Levy Funds under the statutory provisions of Presidential Decree No. 755 and Presidential Decree No. 1468, invested a portion (hereinafter referred to as the Coconut Industry Investment Fund [“CIIF”] of the Coconut Consumers Stabilization Fund and the Coconut Industry Development Fund), not required to be utilized for the purposes for which said Funds were established, in shares of stock of various corporations, including San Miguel Corporation (“SMC”);

WHEREAS, the shares of stock in the SMC acquired through the use of the CIIF (hereinafter referred to as the “CIIF SMC Shares”) are registered in the names of various corporations (hereinafter referred to as the “CIIF Holding Companies”) which are likewise owned and controlled by the CIIF;

WHEREAS, the CIIF Holding Companies have been sequestered by the Presidential Commission on Good Government (“PCGG”) by virtue of Executive Order Nos. 1,2,14 and 14-A;

WHEREAS, by reason of the sequestration of businesses established and the assets and properties acquired through the use of the coconut levy funds, including the CIIF SMC Shares, such businesses, property and assets and the CIIF SMC Shares have not been utilized for the benefit of their intended beneficiaries;

WHEREAS, the issue of the ownership of the coconut levy funds, as well as the businesses and assets established therewith, including the CIIF SMC Shares, is presently pending before the Sandiganbayan in Civil Case No. 0033, entitled “Republic of the Philippines vs. Eduardo Cojuangco, Jr., et al.”;

WHEREAS, the Supreme Court had declared in G.R. No. 75713 that:

“The utilization and proper management of the coconut levy funds, raised as they were by the State’s police and taxing powers, are certainly the concern of the Government. It cannot be denied that it was the welfare of the entire nation that provided the prime moving factor for the imposition of the levy. It cannot be denied that the coconut industry is one of the major industries supporting the national economy. It is, therefore, the State’s concern to make it a strong and secure source not only of the livelihood of a significant segment of the population but also of export earnings the sustained growth of which is one of the imperatives of economic stability. The coconut levy funds are clearly affected with public interest.” (Philippine Coconut Producers Federation Inc. (COCOFED), et al. vs. Presidential Commission on Good Government (PCGG), et al., G.R. No. 75713, October 2, 1989, 178 SCRA 236, 252-253);

WHEREAS, the Supreme Court, in a Resolution issued on December 13, 1994 in G.R. No. 96073, entitled “Republic vs. Sandiganbayan (First Division), et al.” resolved “to DENY the Solicitor General’s (a) Urgent Motion to Resolve Legal Question on the Character of the Coconut Levy Funds and to Declare as Unconstitutional Section 5, Article III of P.D. 1468 filed in behalf of the PCGG. Further, in its resolution of March 26, 1996 in the same case, the Supreme Court, in considering the motion for reconsideration filed by the Solicitor General, resolved “to DENY the Solicitor General’s prayer to (a) declare the coconut levies collected pursuant to various issuances as public funds; (b) declare unconstitutional Section 5, Article III of P.D. 1468.”;

WHEREAS, the delay in the resolution of the aforesaid issues relating to the nature and ownership of the CIIF Investments has been inimical to the coconut industry and the coconut farmers;

WHEREAS, to immediately address the problems besetting the coconut industry and alleviate the socio-economic well-being of the coconut farmers, the rationalization of the use and disposition of the coconut levy funds, including the CIIF SMC Shares, through the creation and establishment of a permanent trust fund to finance various programs of assistance to the coconut farmers and the coconut industry would effectively prevent further deterioration of the coconut industry and, at the same time, provide relief to the continuing hardships experienced by the coconut farmers;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, hereby direct and order, as follows:

SECTION 1. *Creation of the Coconut Trust Fund.* There is hereby created an irrevocable trust fund, to be known as the Coconut Trust Fund (hereinafter referred to as the “Trust Fund”), which shall be capitalized, managed, utilized and accounted for in the manner hereinafter provided.

SEC. 2. *Purpose of the Fund.* The Fund shall be established for the purpose of financing programs of assistance for the benefit of the coconut farmers, the coconut industry, and other agri-related programs intended to maximize food productivity, develop business opportunities in the countryside, provide livelihood alternatives, and promote anti-poverty programs.

SEC. 3. *Capitalization of the Trust Fund.* The CIIF SMC Shares, consisting of approximately 27% of the outstanding capital stock of SMC, shall form the initial capital of the Trust Fund. For this purpose, the CIIF Holding Companies, acting through the Administrator of the coconut levy funds, shall convey the CIIF SMC Shares to the Trustee as provided in Section 4 hereof, under such terms and conditions not inconsistent with the Executive Order. The CIIF Holding Companies, acting through the Administrator of the coconut levy funds, shall sign, execute and deliver such documents, deeds or contract, not inconsistent with this Executive Order, as may be necessary or desirable to implement the provisions of this Executive Order. Nothing in this Executive Order shall be understood to prevent or prohibit any person, group or entity from conveying to the Trustee any other additional properties and/or assets, which shall form part of the Trust Fund.

In order to insure the enduring character of the Fund, the principal thereof shall be maintained intact but may be augmented from time to time by grants, donations and other lawful transfers by public or private entity, the disposition of the income of which shall be governed by the terms and conditions hereinafter specified, as well as the rules and regulations promulgated by the Coconut Trust Fund Committee created pursuant to Section 6 hereof:

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- (a) The Trust Fund shall be perpetually maintained and preserved to ensure the full implementation and realization of the objectives identified and sought to be attained under this Executive Order;
 - (b) In the event that the Trust Fund (or any portion thereof, as the case may be) is subsequently sold, alienated or disposed of, the proceeds and revenues arising out of and realized from such sale, alienation or disposition:
 - (i) shall be, to the extent established by the Coconut Trust Fund Committee, used to settle in full any outstanding liability or obligation of the Trust Fund due in favor of creditors; and
 - (ii) after the settlement of obligations specified in the immediately preceding paragraph, the remaining balance of such proceeds and revenues shall automatically form part of the Trust Fund which remains under the exclusive management of the Coconut Trust Fund Committee;
 - (c) Only the income, interest earnings, and monetary benefits realized by and accruing on the Trust Fund shall be used and disposed of by the Coconut Trust Fund Committee for such purposes and endeavors specified under the provision of this Executive Order (such income, interest earnings and monetary benefits shall be referred to as the “Trust Income”).

The Trust Fund shall be managed and administered so as to maximize its earnings in a prudent manner consistent with its character as a perpetual trust.

SEC. 4. *Designation of Trustee Bank.* The United Coconut Planters Bank (UCPB), through its Trust Department, is hereby designated as the Trustee Bank of the Trust Fund and shall: (i) manage, utilize and account for the Trust Fund in the manner hereinafter provided and (ii) exercise the tasks, functions and duties determined and established by the Coconut Trust Fund Committee created under the provisions of this Executive Order, to the extent allowed under applicable laws.

SEC. 5. *Extent of the Trust Fund.* The Trust Fund shall be composed of the following:

- (a) the CIIF SMC Shares consisting of approximately 27% of the outstanding capital stock of SMC; and
- (b) such other properties and/or assets, intended for the purposes herein stated, and conveyed or transferred to the Trustee in accordance with this Executive Order.

SEC. 6. *Creation of the Coconut Trust Fund Committee.* A Committee is hereby created to administer, manage and supervise the operations of the Trust Fund, chaired by the President with ten (10) members, as follows:

- (a) four (4) representatives from the government sector, two of whom shall be the Secretary of Agriculture and the Secretary of Agrarian Reform who shall act as Vice Chairmen;
 - (b) four (4) representatives from coconut farmers’ organizations, one of whom shall come from a list of nominees from the Philippine Coconut Producers Federation Inc. (“COCOFED”);
 - (c) a representative from the CIIF; and
 - (d) a representative from a non-government organization (NGO) involved in agricultural and rural development.
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All decisions of the Coconut Trust Fund Committee shall be determined by a majority vote of all the members.

The Coconut Trust Fund Committee shall perform the functions and duties set forth in Section 7 hereof, with the skill, care, prudence and diligence necessary under the circumstances then prevailing that a prudent man acting in like capacity would exercise.

The members of the Coconut Trust Fund Committee shall be appointed by the President and shall hold office at his pleasure.

The Coconut Trust Fund Committee is authorized to hire administrative, technical and/or support staff as may be required to enable it to effectively perform its functions and responsibilities.

SEC. 7. Functions and Responsibilities of the Committee. The Coconut Trust Fund Committee shall have the following functions and responsibilities:

- (a) set the investment policy of the Trust Fund;
- (b) establish priorities for assistance giving preference to small coconut farmers and farmworkers which shall be reviewed periodically and revised as necessary in accordance with changing conditions;
- (c) receive, process and approve project proposals for financing by the Trust Fund;
- (d) decide on the use of the Trust Fund's income or net earnings including final action on applications for assistance, grants and/or loans;
- (e) avail of professional counsel and services by retaining an investment and financial manager, if desired;
- (f) formulate the rules and regulations governing the allocation, utilization and disbursement of the Fund; and
- (g) perform such other acts and things as may be necessary proper or conducive to attain the purposes of the Fund.

SEC. 8. Non-impairment of Trust Fund. In order to ensure its enduring character, it is hereby declared and ordered that the Trust Fund shall be operated strictly as a capital fund for investment and re-investment, and that it shall be maintained intact with only the Trust Income, being authorized to be utilized for financing programs of assistance as provided in Section 9 hereof.

SEC. 9. Use and Disposition of the Trust Income. The Coconut Trust Fund Committee, on an annual basis, shall determine and establish the amount comprising the Trust Income. After such determination, the Committee shall earmark, allocate and disburse the Trust Income for the following purposes, namely:

- (a) Not more than three percent (3%) of the Trust Income shall be used to defray the direct and validated costs and expenses incurred for the maintenance, administration and preservation of the Trust Fund, inclusive of the mandatory supervision fees and charges, if any, imposed by the Bangko Sentral ng Pilipinas;
 - (b) Twenty percent (20%) of the Trust Income shall be allocated and disbursed to the Philippines Coconut Producers Federation, Inc. (COCOFED) under the relevant provisions of existing statutes, rules and regulations;
 - (c) Thirty percent (30%) of the Trust Income shall be disbursed to other existing coconut farmers' organizations, associations and federations such as the Pambansang Koalisyon ng mga Samahang Magsasaka at Manggagawa sa Niyugan (PKSMMN), Coconut Industry Reform Movement (COIR), National Federation of Small Coconut Farmers Organizations (NFSCFO),
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- Nagkakaisang Ugnayan ng Maliliit na Magsasaka at Manggagawa sa Niyugan (NIUGAN), and those which may be determined by the Coconut Trust Fund Committee, for the purpose of providing an immediate source of funds to finance socio-economic programs and endeavors for the benefit of their members consistent with the guidelines set forth in Section 10 hereof;
- (d) Thirty percent (30%) of the Trust Income shall be used to assist and fund agriculturally-related programs for the Government, as reasonably determined by the Trust Fund Committee, implemented for the purpose of: (i) maximizing food productivity in the agriculture areas of the country, (ii) enhancing the upliftment and well-being of the living conditions of farmers and agricultural workers, (iii) developing viable industries and business opportunities in the countryside, (iv) providing alternative means of livelihood to the direct dependents of agriculture businesses and enterprises, and (v) providing financial assistance and support to coconut farmers in times of economic hardship due to extremely low prices of copra and other coconut products, natural calamities, world market dislocation and similar occurrences, including financial support to the ERAP's Sagip Niyugan Program established under Executive Order No. 312 dated November 3, 2000; and
 - (e) The remaining balance of the Trust Income shall revert to the Trust Fund.

The aforesaid releases and disbursements shall be in accordance with the rules and regulations formulated by the Coconut Trust Fund Committee.

SEC. 10. *Guidelines for Trustee Decisions.* In arriving at decisions on project applications for financial assistance, grants, loans or other forms of financing from the Trust Fund, the Coconut Trust Fund Committee shall be guided by the following considerations:

- (a) the project's relations and impact to the development and improvement of the coconut industry in relation to the government's agriculturally-related programs, food productivity, livelihood and anti-poverty programs;
- (b) the amounts of funds requested for the project as consistent with the fund assistance to as many institutions and/or associations as possible; and
- (c) an assessment of the institution's or association's past and current efforts to improve the quality of life of the coconut farmers and the development of the coconut industry and agriculture in the Philippines.

SEC. 11. *Cooperation with the Committee.* The Coconut Trust Fund Committee may call upon any department, bureau, office, agency or instrumentality of the Government of the Republic of the Philippines, including government-owned and controlled corporations, for such assistance as it may desire and need in pursuit of the purposes and objectives of the Trust Fund in the discharge of its functions and responsibilities.

SEC. 12. *Meetings and Annual Report and Compensation.* The Coconut Trust Fund Committee shall meet at such time as may be determined by the Chairman and shall render to the President an annual report of its activities. The members of the Coconut Trust Fund Committee shall receive such compensation, allowances and per diems as may be approved by the President of the Philippines.

SEC. 13. *Accounting.* The Coconut Trust Fund Committee shall maintain appropriate records and accounts of all investments, receipts, disbursements and other transactions relating to the management, administration and disposition of the Trust Fund and Trust Income.

The Fund shall be audited annually or as often as necessary by an external auditor designated by the Committee. The Committee may also request the Commission on Audit to conduct an audit of the Fund.

SEC. 14. *Implementation.* The Presidential Commission on Good Government, the Office of the Solicitor General and other appropriate government instrumentality are hereby directed to exclude the 27% CIIF SMC shares from Civil Case No. 0033 entitled “Republic of the Philippines vs. Eduardo Cojuangco, Jr. et al.” pending before the Sandiganbayan, lift the sequestration over such shares, and take all the necessary steps to implement the purposes and objectives of this Executive Order.

SEC. 15. *Repealing Clause.* This Order repeals Executive Order Nos. 481 and 277 dated May 1, 1998 and September 24, 1995, respectively.

SEC. 16. *Effectivity Clause.* This Order shall take effect immediately.

DONE in the City of Manila, this 8th day of Nov., in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 314

MODIFYING THE RATES OF IMPORT DUTIES ON IMPORTED CRUDE OIL AND SELECTED REFINED PETROLEUM PRODUCTS UNDER SECTION 104 OF THE TARIFF AND CUSTOMS CODE OF 1978 (PRESIDENTIAL DECREE NO. 1464, AS AMENDED)

WHEREAS, Section 6 of RA 8479 otherwise known as the “Downstream Oil Industry Deregulation Act of 1998” provides that a single and uniform tariff duty is imposed and collected both on imported crude oil and imported refined petroleum products at the rate of three percent (3%);

WHEREAS, Sections 104 and 401 of the Tariff and Customs Code of the Philippines (PD No. 1464), as amended, empower the President upon the recommendation of the National Economic and Development Authority to increase, reduce, or remove existing protective rates of import duty, as well as to modify the form of duty;

WHEREAS, prices of imported crude oil and imported refined petroleum products in the international markets indicate upward trend;

WHEREAS, it is necessary to soften the impact of such increases on prices of basic commodities and services;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. The rate of import duty for imported crude oil and selected refined petroleum products as specifically listed in Annex “A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as last amended by EO 461, dated 31 December 1997, shall be reduced from three percent (3%) to zero percent (0%).

Section 2. The nomenclature and the rates of import duty on tariff headings not enumerated and listed in Annex “A” hereof shall remain in force and effect.

Section 3. The zero import duty rates shall be in effect for three (3) months and may be extended by the President upon recommendation of the National Economic and Development Authority.

Section 4. Upon the effectivity of this Executive Order, the articles specifically listed in the aforesaid Annex “A” which are entered or withdrawn from warehouses in the Philippines for consumption shall be levied the rates of duty therein prescribed.

Section 5. All Presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

Section 6. This Executive Order shall take effect immediately.

DONE, in the City of Manila, this 8th day of November, in the Year of Our Lord, Two Thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:
(Sgd.) **RONALDO B. ZAMORA**
Executive Secretary

Reference: Annex A

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 315
TRANSFERRING THE NATIONAL FOOD AUTHORITY FROM THE OFFICE OF THE
PRESIDENT TO THE DEPARTMENT OF AGRICULTURE

WHEREAS, the Department of Agriculture (“DA”) is tasked to carry out the centerpiece program of food security, which includes ensuring adequacy of food supply in the country;

WHEREAS, basic food sufficiency requires a comprehensive approach involving all sectors and aspects of the agriculture and fisheries sector;

WHEREAS, the work of the National Food Authority (“NFA”), as the agency tasked to assure the adequacy of food supply, properly and legally falls under the responsibility of the DA to bring about food security;

WHEREAS, to ensure that policies regarding adequate food supply closely coordinate with policies on food security, the NFA should be immediately transferred back to the DA;

WHEREAS, Section 31, Chapter 10, Title III, Book III of Executive Order No. 292, otherwise known as the Administrative Code of 1987, provides continuing authority to the President to reorganize the administrative structure of the Office of the President;

NOW THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, hereby direct and order, as follows:

Section 1. Dispositive Action. Executive Order No. 2 and any other executive issuances inconsistent herewith are hereby revoked, and the National Food Authority, together with its assets, equipment, properties and personnel are hereby transferred back to the Department of Agriculture.

Section 2. Authority of the Secretary of Agriculture. The Secretary of Agriculture is hereby designated as Chairman of the NFA, and is hereby authorized to reorganize, streamline, merge, deactivate or dispose assets of the NFA subject to existing laws.

Section 3. Effectivity. This Executive Order shall take effect immediately.

Done in the City of Manila, this 9th day of November, 2000.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 316
TRANSFERRING THE ATTACHMENT OF THE GUARANTEE FUND FOR SMALL AND
MEDIUM ENTERPRISES TO THE DEPARTMENT OF AGRICULTURE

WHEREAS, Executive Order No. 233, s. 2000 effected the transfer of the attachment of the Livelihood Corporation (LIVECOR) and the Human Settlements Development Corporation (HSDC) from the Office of the Executive Secretary to the Department of Agriculture;

WHEREAS, under the same Executive Order, the Guarantee Fund for Small and Medium Enterprises (GFSME), a program component of LIVECOR, was directed to be attached to the Department of Trade and Industry;

WHEREAS, Executive Order No. 256 provides interim guidelines for the operation of the GFSME under the new set-up;

WHEREAS, Memorandum Circular No. 001-4, s. 1984 established the GFSME as a Trust Account of LIVECOR and expressly authorizes LIVECOR to place the GFSME under its direct control and management, and the earnings of GFSME to be utilized for such purposes as the Board of Trustees of LIVECOR may determine;

WHEREAS, as provided in Letter of Instruction No. 144, LIVECOR was empowered to manage the GFSME, as a program component that shall support LIVECOR's mandate of developing and generating livelihood opportunities through the establishment of viable agro-processing centers;

WHEREAS, GFSME remits thirty percent (30%) of its income to LIVECOR, making GFSME one of LIVECOR's major sources of income, as LIVECOR does not receive any budgetary allocation from the National Treasury;

WHEREAS, the GFSME is a vital component of LIVECOR's integrated programs;

WHEREAS, the separation of GFSME from LIVECOR will result to legal and administrative complications adverse to public interest;

WHEREAS, under Section 31, Chapter 10, Book III of the Administrative Code of 1987, the President of the Philippines has continuing authority to reorganize the administrative structure of the Office of the President, and may transfer any agency under the Office of the President to any other department or agency;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order as follows:

SECTION 1. The Guarantee Fund for Small and Medium Enterprises (GFSME) is hereby ordered transferred for attachment from the Department of Trade and Industry to the Department of Agriculture. The GFSME shall continue to be under the direct control and management of LIVECOR, amending for the purpose Executive Order No. 233, s. 2000.

SECTION 2. Executive Order No. 256, s. 2000, and rules and regulations or parts thereof inconsistent with this Executive Order are hereby repealed, amended or modified accordingly.

SECTION 3. This Executive Order shall take effect immediately.

Done in the City of Manila, Philippines, this 9th day of November, in the year of Our Lord Two Thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:
(Sgd.) **RONALDO B. ZAMORA**
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 317
PRESCRIBING A CODE OF CONDUCT FOR RELATIVES AND CLOSE PERSONAL
RELATIONS OF THE PRESIDENT, VICE PRESIDENT AND MEMBERS OF THE CABINET

WHEREAS, the President, Vice President and Members of the Cabinet are duty bound to follow the highest standard of ethics in public service.

WHEREAS, the duty of the President, Vice President and Members of the Cabinet extends also to those related to them by consanguinity, affinity, intimacy or close personal relations, who must conduct themselves in a manner which would not cast doubt on the integrity and impartiality of the President, Vice President and Members of the Cabinet.

WHEREAS, there is a need to remove whatever public perception that relatives and close personal relations of the President, Vice President and Members of the Cabinet are or may be taking undue advantage of such relationship to obtain unwarranted advantage and benefits from the government.

WHEREAS, even without deliberately capitalizing, exploiting or taking advantage of their family or close personal relations with the President, Vice President and Members of the Cabinet in engaging in certain transactions, the proximity of relatives and close personal relations to the President, Vice President and Members of the Cabinet may create a wrong perception that such relations are or have been abused by them.

WHEREAS, there is a need to lay down a Code of Conduct for relatives and close personal relations of the President, Vice President and Members of the Cabinet to ensure that existing laws in place cannot and will not be circumvented and that undue influence will not be exerted nor undue advantage taken by these people as a result of their closeness with the President, Vice President and Members of the Cabinet.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, hereby direct and order, as follows:

Section 1. Definition of Terms. As used in this Executive Order, the term:

(a) "Relative" refers to any and all persons related to the President, Vice President and Members of the Cabinet within the fourth civil degree of consanguinity or affinity, and shall include any offspring of the President, Vice President and Members of the Cabinet and the parent of such offspring, as well as those related to the latter within the fourth civil degree of consanguinity or affinity.

(b) "Close Personal Relation" shall mean any person enjoying close association or intimacy with the President, Vice President and Members of the Cabinet, which insures easy access to his person such as political contributors, personal friends of long standing, and former schoolmates of the President, Vice President and Members of the Cabinet.

(c) "Gift" refers to a thing or a right to dispose of gratuitously, or any act or liberality, in favor of another who accepts it, and shall include a simulated sale or an ostensibly onerous disposition thereof. It shall not include an unsolicited gift of nominal or insignificant value not given in

anticipation of, or in exchange for, a favor from the President, Vice President, Members of the Cabinet or any other public official or employee.

(d) “Government” includes the national government, the local governments, the government-owned and government-controlled corporations, and all other instrumentalities or agencies of the Republic of the Philippines and their branches.

(e) “Receiving any gift” includes the act of accepting directly or indirectly, a gift from a person other than a member of his family or relative as defined in this Act, even on the occasion of a family celebration or national festivity like Christmas, if the value of the gift is neither nominal nor insignificant, or the gift is given in anticipation of, or in exchange for, a favor.

(f) “Loan” covers both simple loan and commodatum as well as guarantees, financing arrangements or accommodations intended to ensure its approval.

(g) “Person” includes natural and juridical persons unless the context indicates otherwise.

(h) “Public Official” includes elective and appointive officials and employees, permanent or temporary, whether in the career or non-career service, including military and police personnel, whether or not they receive compensation, regardless of amount.

Section 2. Prohibited Acts and Transactions. In addition to acts and omissions of presidential Relatives provided in the Constitution and existing laws, the following shall constitute prohibited acts and transactions by a Relative or a Close Personal Relation:

(a) Solicitation and acceptance, directly or indirectly, of any funds, gift, gratuity, favor, entertainment, loan or anything of monetary value for any purpose from any person or corporation;

(b) Persuading, inducing or influencing another public official to perform an act constituting a violation of rules and regulations duly promulgated by competent authority or an offense in connection with the official duties of the latter;

(c) Directly or indirectly engaging in transactions with Government, particularly government financial institutions (“GFIs”), including securing any loan or accommodation from such GFIs;

(d) Exerting undue influence, directly or indirectly, on the outcome public biddings for government contracts;

(e) Directly or indirectly having financial or pecuniary interest in any business, contract or transaction with the Government.

(f) Using the name of the President, Vice President or Members of the Cabinet, directly or through another person not related to the President, Vice President and Members of the Cabinet, in order to obtain any contract, favor or other benefit from the government.

Section 3. Simple Living. Relatives and Close Personal Relations shall lead modest lives appropriate to their positions and income. They shall not indulge in extravagant and ostentatious display of wealth in any form.

Section 4. Prohibition on Government Financial Institutions. GFIs are prohibited from increasing its equity or investing its funds for purposes of conferring a seat as director to a Relative or Close Personal Relation by means of increasing capital or equity or through any other means.

Section 5. Lawful Exercise of Profession. Nothing in this Executive Order shall cover lawful acts of persons considered as a Relative or Close Personal Relation who have been engaged in the traditional, established, and lawful exercise of their profession, business or trade.

Section 6. Penalties for violations. In addition to the criminal liabilities provided for by existing laws should any act defined herein fall within the definition of such laws, all agreements, contracts,

and any other transaction entered into with the Government in violation of any prohibition herein shall be deemed void and of no effect. Any government official or employee who shall tolerate or conspire with any Relative or Close Personal Relation in violation of this Executive Order shall be subject to suspension or removal from office as may be determined by the President and following an investigation of such violation.

Section 7. Effectivity. This Order shall take effect immediately.

Done in the City of Manila, this 9th day of November, 2000.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 318

INSTRUCTING THE CONCERNED AGENCIES OF GOVERNMENT,
PARTICULARLY THE DEPARTMENT OF FINANCE, THE BUREAU OF INTERNAL
REVENUE, AND THE SECURITIES AND EXCHANGE COMMISSION TO DEVELOP
A LEGAL AND REGULATORY FRAMEWORK WHICH WILL ACCELERATE THE
ISSUANCE AND SALE OF ASSET- BACKED SECURITIES

WHEREAS, government recognizes the need to improve and deepen capital markets to allow the private sector to participate in funding the development needs of the country.

WHEREAS, both government and the private sector have identified the creation of a primary and secondary market for asset-backed securities as one of the most efficient and effective ways by which private sector funding can be tapped for development priorities such as housing.

WHEREAS, the private sector has identified specific legal, fiscal and regulatory issues which hinder the development of a market in asset-backed securities and has taken the initiative to prepare a proposal in the form of legislation to respond to such issues.

WHEREAS, the need for a Presidential directive to mobilize the government agencies concerned in order to facilitate the creation of a primary and secondary market for asset-backed securities is imperative.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. All agencies and departments of the executive branch of government, particularly the Department of Finance (DOF), the Bureau of Internal Revenue (BIR), Securities and Exchange Commission (SEC), and the Housing and Urban Development Coordination Committee (HUDCC), are directed to form top-level teams which will, following consultation with the private sector, develop the appropriate administrative and regulatory framework in their respective departments for the development of a market for asset-backed securities.

SECTION 2. The DOF, in consultation with concerned agencies of government shall review the draft bill that rationalizes, legal, tax and regulatory impediments to the creation of asset-backed securities and their subsequent resale and trading.

SECTION 3. The DOF and BIR shall review the current tax treatment of asset-backed securities and shall, if possible, issue revenue regulations or rulings to clarify or resolve tax issues which may affect the development of the asset-backed securities market.

SECTION 4. The SEC shall issue the revised rules on securitization and shall recognize the creation of Special Purpose Vehicles as the recipient of assets and issuer of asset-backed securities in securitization transactions, if determined to be within the current legal and regulatory framework.

SECTION 5. The Insurance Commission shall study and, if possible, implement the expansion of the coverage of admitted assets for insurance companies to include investments in asset-backed securities.

SECTION 6. The above listed agencies shall coordinate and seek the assistance of the Bangko Sentral ng Pilipinas (BSP) regarding policy, administrative, and regulatory issues in securitization where coordination with BSP is necessary.

SECTION 7. The HUDCC, in coordination with the SEC and DOE, shall initiate the formation of a private sector Secondary Market Institution (SMI) for asset-backed securities with priority to the housing industry.

SECTION 8. The Board of Investments shall consider the inclusion of SMIs for asset-backed securities in the Investment Priorities Plan as among those eligible for tax and other incentives under the 1987 Investments Code, as amended.

SECTION 9. This Executive Order shall take effect immediately.

Done in the City of Manila, this 17th day of November, in the Year of our Lord, two thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 319

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE PREFERENTIAL TARIFF RATES ON CERTAIN PRODUCTS UNDER THE ASEAN INDUSTRIAL COOPERATION (AICO) SCHEME

WHEREAS, the Philippines is a Contracting Party to the Basic Agreement on the ASEAN Industrial Cooperation Scheme (AICO) signed in Singapore on 27 April 1996;

WHEREAS, the Philippines is a participating country in the approved AICO Arrangements of Matsushita Electric Philippines Corporation (MEPCO) along with Indonesia, Malaysia, and Thailand; in the approved AICO Arrangement of Toyota Motor Philippines Corporation along with Indonesia, Malaysia and Thailand; and in the approved AICO Arrangement of Mitsubishi Motors Philippines Corporation (MMPC) along with Thailand;

WHEREAS, under the MEPCO AICO Arrangement, the Philippines (Matsushita Electric Philippines Corporation) will import from Indonesia (PT National Gobel), Malaysia (Matsushita Electric Co., (M) Bhd.), and Thailand (Matsushita Seiko (Thailand) Co., Ltd) electric fans and certain parts/components for electric fans. In exchange Indonesia, Malaysia, and Thailand will import from the Philippines electric fans and complementary components/parts for the electric fans;

WHEREAS, under the Toyota AICO Arrangement, the Philippines (Toyota Motor Philippines Corporation) will import from Indonesia (PT Toyota Astra Motor), Malaysia (Assembly Services Sdn Bhd), and Thailand (Toyota Motor Thailand Co. Ltd) certain original equipment manufacture (OEM) automotive parts/components for Corolla passenger car (HS 8703.90 10). In exchange Indonesia, Malaysia, and Thailand will import from the Philippines electric fans and complementary components/parts for the electric fans;

WHEREAS, under the MMPC AICO Arrangement, the Philippines (Mitsubishi Motors Philippines Corporation and Asian Transmission Corporation) will import from Thailand (MMC Sittipol Co., Ltd) certain original equipment manufacture (OEM) automotive parts/components for MG Lancer (HS 8703.90 10) and L200 (HS 8704.90 10). In exchange Thailand will import from the Philippines complementary part/components for the OEM of L200;

WHEREAS, AICO Certificate of Eligibility Nos: Matsushita/1999/1 and amended Matsushita/1999/1 were issued on 20 September 1999 and on 17 March 2000, respectively, in favor of the participating companies in the MEPCO AICO Arrangement; AICO Certificate of Eligibility Nos: Toyota/2000/13, Toyota/2000/12 and Toyota/2000/16 were issued on 03 and 31 March 2000 and 20 April 2000, respectively, in favor of the participating companies in the Toyota AICO Arrangement; and AICO Certificate of Eligibility No: Mitsubishi/2000/1 was issued on 31 March 2000, in favor of the participating companies in the Mitsubishi AICO Arrangement;

WHEREAS, in consonance with Articles 5 and 7 of the Basic Agreement of the AICO Scheme, participating companies in the approved MEPCO, Toyota, and MMPC AICO Arrangements shall qualify for 0-5% preferential tariff rates to be extended by Indonesia, Malaysia, Thailand and the

Philippines for MEPCO and Toyota; and by Thailand and the Philippines for MMPC as participating countries, effective within 45 days from the date of issuance of the Certificate of Eligibility Nos: Matsushita/1999/1, Toyota/2000/13, Toyota/2000/12 and Toyota/2000/16, and Mitsubishi/2000/1 by the ASEAN Secretariat.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, pursuant to the powers vested in me under Section 402 of the Tariff and Customs Code of 1978, as amended, do hereby order:

SECTION 1. The articles specifically listed in Annex “A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded the AICO rates of 3% and 5% as specified in Column 4 thereof.

SEC. 2. The AICO rates provided in Annex “A” shall be accorded to the AICO entities in Indonesia (PT National Gobel), in Malaysia (Matsushita Electric Co., (M) Bhd.), and in Thailand (Matsushita Seiko (Thailand) Co. Ltd) effective 17 March 2000.

SEC. 3. The articles specifically listed in Annex “B” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded the AICO rate of 5% on parts/components of Corolla passenger car (HS 8703.90 10) as specified in Column 6 thereof.

SEC. 4. The AICO rate provided in Annex “B” shall be accorded to the AICO entity in Indonesia (PT Toyota Astra Motor) effective 20 April 2000, AICO entity in Malaysia (Assembly Services Sdn Bhd) effective 03 March 2000, AICO entity in Thailand (Toyota Motor Thailand Co. Ltd) effective 31 March 2000.

SEC. 5. The articles specifically listed in Annex “C” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded the AICO rates of 5% on parts/components of MG Lancer passenger car (HS 8703.90 10) and 3% on parts/components of L200 (HS 8704.90 10) as specified in Column 6 thereof.

SEC. 6. The AICO rates provided in Annex “C” shall be accorded to the AICO entity in Thailand (MMC Sittipol Co., Ltd.) effective 31 March 2000.

SEC. 7. In the event that any subsequent changes are made in the basic (MFN) Philippine rate of duty on any of the articles listed in Annexes “A”, “B” and “C” to a rate lower than the AICO rate prescribed in Column 4 of Annex “A” and Column 6 of Annexes “B” and “C” such article shall automatically be accorded the corresponding reduced rate of duty. Effective 1 January 2003, the final CEPT rate on the articles shall apply.

SEC. 8. Upon the effectivity of this Executive Order, the articles specifically listed in the aforesaid Annexes “A”, “B” and “C” which are entered or withdrawn from warehouses in the Philippines for consumption shall pay the applicable AICO preferential tariff rates specified under Sections 1, 3 and 5 hereof, subject to qualification under the Rules of Origin for the CEPT, as evidenced by the Certificate of Origin – Form “D”.

SEC. 9. Any revision/s to the part numbers appearing in Column 4 of Annexes “B” and “C” shall be communicated immediately to the Bureau of Customs by the Board of Investments within five (5) days after receipt of the official copy of the revised parts from the ASEAN Secretariat.

SEC. 10. This Executive Order shall take effect immediately.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 17th day of November, in the year of Our Lord, two thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

References: Annexes A, B, and C

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 320

AMENDING SECTION 2 OF EXECUTIVE ORDER NO. 60 DATED FEBRUARY 26, 1993
CREATING THE INTER-AGENCY COMMITTEE ON INTELLECTUAL PROPERTY RIGHTS

WHEREAS, by virtue of Resolution No. 01-99, the Inter-Agency Committee on Intellectual Property Rights (IAC-IPR) agreed to recommend the amendment of Section 2 of Executive Order No. 60, dated February 26, 1993;

WHEREAS, the purpose thereof is to update its composition mainly due to the change in the position title of the Director of the Bureau of Patents, Trademarks and Intellectual Property to Director General of the Intellectual Property Office, pursuant to Republic Act No. 8293, otherwise known as the “Intellectual Property Code of the Philippines”;

WHEREAS, since the Director of the National Library is the head of the office, the need to reflect the changes is also in order;

WHEREAS, considering the importance of the inclusion of the Director General of the National Computer Center in the Committee, it was also deemed necessary that he be made a member thereof.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Section 2 of Executive Order No. 60 dated February 26, 1993 is hereby amended to read as follows:

“**SEC 2. Composition.** – The Committee shall be composed of the Secretary of Trade and Industry, as Chairman, the Secretary of Justice and Secretary of Finance as Vice-Chairman, and the following as Members: the Chief Presidential Legal Counsel, the Director of the National Bureau of Investigation, the Chief of the Philippine National Police, the Commissioner of the Bureau of Customs, the Chairman of the Videogram Regulatory Board, the Commissioner of the National Telecommunications Commission, the Director of the National Library, the Director- General of the Intellectual Property Office, the Director of the Bureau of Trade Regulations and Consumer Protection, the Court Administrator of the Supreme Court of the Philippines, the Commissioner of the Economic Intelligence and Investigation Bureau, the Director of the Bureau of Food and Drugs, the Director of the Bureau of Animal Industry, and the Director General of the Computer Center, and one representative each from two major non-government organizations involved in the protection and promotion of intellectual property rights to be determined by the Committee”.

SEC 2. All laws, orders, issuances and rules and regulations or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC 3. This Executive Order shall take effect immediately.

IN WITNESS WHEREOF, I have hereunto set my hands and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 21st day of November, in the year of Our Lord, two thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 321
DIRECTING THE TRANSFER OF CERTAIN GOVERNMENT PROPERTIES BETWEEN
AND AMONG THE DEPARTMENT OF FINANCE AND THE PHILIPPINE NATIONAL
POLICE AND FOR OTHER PURPOSES

WHEREAS, as a result of the continuing reorganization of government, there is a need to rationalize the use of certain government properties to maximize savings;

WHEREAS, modern policing requires the strategic location of police headquarters in the center of the city or metropolis to better serve the citizenry;

WHEREAS, the Main Building of the Economic Intelligence and Investigation Bureau (EIIB), which will be vacated soon as a result of the EIIB's winding-up, is located at the National Government Center, Diliman, Quezon City, and, as such, is suitable to serve as Headquarters of the Philippine National Police-National Capital Region Police Office (PNP-NCRPO); likewise, some regional offices of the Bureau of Local Government Finance (BLGF) are located in police and military camps throughout the country;

WHEREAS, it is advisable that the new Central Management Information Office (CMIO) of the Department of Finance (DOF) should hold office near the DOF Building in Manila;

WHEREAS, there is a strong need to rationalize and coordinate the turnover of the control, management, administration and supervision of the aforesaid properties to the agencies concerned;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION. 1. The EIIB Building and land located at the National Government Center, Quezon City, is hereby transferred to the PNP-NCRPO, which shall assume all outstanding obligations for the purchase of the lot from the National Housing Authority, as well as other liabilities for improvements introduced thereon. The amount required for this purpose shall be incorporated in the annual budgetary appropriation of the PNP.

SEC. 2. The two (2) office buildings currently being used by the Regional Mobile Group of the PNP-NCRPO and the warehouse of the PNP Logistic Support Services, all located at Camp Bagong Diwa, Taguig, Metro Manila, are hereby assigned and transferred for a period of ten (10) years to the DOF for its office use.

SEC. 3. The following properties formerly used as EIIB Regional Offices shall remain in the possession of the DOF for a period of ten (10) years for the benefit of its attached bureaus and agencies, to wit:

- a. Land and building formerly occupied by EIIB Regional Office No. I, located at Camp Diego Silang, San Fernando, La Union;
- b. Land and building formerly occupied by EIIB CAR Regional Office, located at Camp Bado Dangwa, La Trinidad, Benguet;

- c. Land and building formerly occupied by EIIB Regional Office No. V, located at Camp Gen. Simeon, Ola, Legaspi City;
- d. Land and building formerly occupied by EIIB Regional Office No. VI, located at Camp Delgado, Iloilo City;
- e. Land and building formerly occupied by EIIB Regional Office No. VII, located at Camp Sergio Osmeña, Cebu City;
- f. Land and building formerly occupied by EIIB Regional Office No. XI, located at Camp Domingo Leonor, Davao City;

SEC. 4. The BLGF shall transfer title over the 6th Floor, BF Condominium Building, Intramuros, Manila, to the DOF for use of the CMIO.

SEC. 5. The EIIB main building, including the equipment, furniture and fixtures, etc., found therein which the DOF and/or its attached bureaus and agencies may no longer need for their operations, shall be turned over to PNP-NCRPO.

SEC. 6. The amount of Ten Million Pesos (P10,000,000.00) is hereby authorized to be set aside from the President's Contingent Fund to be used for the repair, rehabilitation, improvement, maintenance and furnishings of the aforesaid properties. Subsequent appropriations shall be incorporated in the budgetary allocation of the DOF and the PNP.

SEC. 7. The DOF and the PNP are hereby authorized to engage the services of private firms to undertake the work mentioned in the preceding section by public bidding, subject to the usual accounting and auditing rules and regulations.

SEC. 8. The DOF and the PNP shall formulate the necessary guidelines and policies to implement this Order.

SEC. 9. There is hereby created an Inter-Agency Committee to be chaired by the Executive Secretary with representatives from the DOF, Department of Budget and Management, Department of the Interior and Local Government and the PNP, as members, that will monitor and oversee the implementation of this Order. The Committee shall submit to the President a quarterly progress report on its activities.

SEC. 10. All other orders, issuances or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 11. This Executive Order takes effect immediately.

Done in the City of Manila, this 21st day of November, in the year of Our Lord, two thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 322
REQUIRING ALL NATIONAL GOVERNMENT AGENCIES, INSTRUMENTALITIES AND
GOVERNMENT-OWNED AND/OR-CONTROLLED CORPORATIONS TO PARTICIPATE IN
THE ELECTRONIC PROCUREMENT SYSTEM

WHEREAS, the National Government is undertaking comprehensive reforms to modernize government procurement systems;

WHEREAS, these reforms are being pursued to ensure transparency in government transactions and enhance efficiency and effectiveness in the procurement of goods/supplies/materials, services and civil works;

WHEREAS, the National Government recognizes the use of the Internet as an effective medium to provide transparent access to government-wide procurement opportunities and decisions;

WHEREAS, the Department of Budget and Management (DBM), through the Procurement Service (PS), has initially established the first phase of an electronic procurement system (EPS) which features a Public Tender Board, a Suppliers' Registry and an Electronic Catalogue;

WHEREAS, the first phase of the EPS lays the foundation for the envisioned implementation of Internet-based government procurement transactions such as electronic and online bidding, ordering and payment transfers;

WHEREAS, the DBM-PS, by virtue of Letter of Instruction No. 755 and Executive Order Nos. 289 and 359, has the mandate to procure on behalf of all government agencies commonly-used goods, supplies and services;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order;

Section 1. All agencies of the National Government, its instrumentalities, including government-owned and/or -controlled corporations are directed to participate in the first phase of the EPS of the DBM-PS, to include specifically the following activities involving goods, supplies and materials;

- a. Public Tender Board. All bid opportunities, notices and awards shall be advertised and posted in the Public Tender Board.
- b. Suppliers' Registry. All qualified suppliers that wish to conduct business with the National Government Agencies shall be required to be accredited and registered in the electronic registry for reference and information of all agencies intending to procure goods, supplies or materials.
- c. Electronic Catalogue. Goods, supplies and materials of EPS accredited and registered suppliers shall be listed and graphically displayed with detailed description/information through the Electronic Catalogue, which shall serve as virtual store.

Section 2. The Procurement Policy Board shall hereinafter adopt policies and procedures to accelerate the EPS to its full-fledged implementation consistent with the objectives of the Republic Act No. 8792, the E-Commerce Act.

Section 3. The Procurement Policy Board shall modernize the organization, systems and processes in the DBM-PS to effectively complement and support the objectives of the EPS.

Section 4. All executive issuances, order and regulations or parts thereof inconsistent with this Executive Order are hereby repealed and/or modified accordingly.

Section 5. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 22nd day of November, in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA

Executive Secretary

Source: **Presidential Museum and Library**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 231 - 337]*. Manila: Presidential Museum and Library.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 323
CONSTITUTING AN INTER-AGENCY PRIVATIZATION COUNCIL (PC) AND
CREATING A PRIVATIZATION AND MANAGEMENT OFFICE (PMO) UNDER
THE DEPARTMENT OF FINANCE FOR THE CONTINUING PRIVATIZATION OF
GOVERNMENT ASSETS AND CORPORATIONS

Whereas, pursuant to Republic Act No. 8758 s. 1999, the life of the Committee on Privatization (COP) and the Asset Privatization Trust (APT) will expire on December 31, 2000.

Whereas, Republic Act No. 8758 provided that, "All assets held by the Asset Privatization Trust, all moneys and other properties belonging to it, and all its liabilities outstanding upon the expiration of its term shall revert to and be assumed by the National Government".

Whereas, Republic Act No. 8758 mandated the transfer for disposition of the assets held by the APT by the President of the Philippines to the trust department of the appropriate government financial institution or appropriate government agency upon the expiration of the term of APT;

Whereas, Executive Order No. 12, s. 1998 reaffirmed the privatization policy of the Government by encouraging all heads of departments, bureaus, agencies and instrumentalities including government owned and controlled corporations to identify assets and activities that can be efficiently and effectively undertaken by the private sector; by broadening the coverage of privatization activities with the inclusion of some authorities such as Bases Conversion and Development Authority (BCDA), Public Estates Authority (PEA), Philippine Tourism Authority (PTA), Philippine Economic Zone Authority (PEZA) and Subic Bay Metropolitan Authority (SBMA); and by directing the COP to consider other alternative modes of privatization such as leasing, management and maintenance contracts, BOT schemes or joint venture arrangements;

Whereas, under the Constitution and under the Administrative Code of 1987, the President, as Chief Executive, has control and supervision over, and the authority to reorganize, the Executive Branch of the Government, including the Office of the President;

Whereas, the Government's privatization program has proven beneficial and helpful to the economy in terms of generating revenues, improving investment climate, attracting foreign capital and investments, broadening ownership base, developing capital markets and fostering private sector participation;

Whereas, there are remaining partially sold and undisposed accounts approved for privatization consisting of 150 transferred assets, of which 88 are partially sold and 62 are still undisposed, 57 government owned or controlled corporations, of which 31 have been partially sold and 26 are still undisposed, and several surrendered properties with sizeable amount of projected revenues for the much-needed resources of the Government;

Whereas, there is a vast opportunity for greater private sector participation in the development of the Philippine economy with the successful launching of Government's PROGRESS Bonds and the pending enactment by Congress of the bill restructuring of the power industry and privatizing the National Power Corporation;

NOW, THEREFORE, I JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Article I. Restatement of the Policy

Section 1. Restatement of Policy. The National Government hereby restates its privatization policy to promote an orderly, coordinated and efficient privatization of remaining government corporations, assets, activities and idle properties which have been identified as unnecessary and inappropriate for the government sector to maintain.

Article II. The Privatization Council

Section 1. Organization. There is hereby established a Privatization Council (PC), referred to as the "Council", to oversee the privatization program of the Government.

Section 2. Composition. The Council shall be composed of the Secretary of Finance as Chairman, with the Secretaries of Budget and Management, Trade and Industry, National Economic and Development Authority and Justice as members. The National Treasurer and the Chairman of the Presidential Commission on Good Government shall be non-voting members of the Council.

The Technical Committee shall also be established to be composed of the representative of the Department of Finance as Chairman, and representatives of the Department of Justice, Department of Budget and Management, Department of Trade and Industry, National Economic Development Authority, Bureau of the Treasury and the PCGG, as members.

Section 3. Objectives, Powers and Functions. The Council shall direct, supervise and coordinate all privatization and similar disposition efforts undertaken by the Government in order to promote private sector participation in developing the Philippine economy and to generate maximum cash recovery for the National Government. In the pursuit of these objectives, the Council shall assume all the powers, functions, duties and responsibilities, all properties, real or personal assets, equipment and records, as well as the obligations and liabilities previously held or exercised by the COP under Proclamation No. 50, as amended, which have been devolved to the National Government pursuant to Republic Act No. 8758.

Section 4. Meetings. The Council shall meet at least twice a month, or as frequently as necessary to effectively discharge its functions and responsibilities and expedite the disposition of GOCCs, assets, activities and other government properties.

The presence of the majority of the voting members shall constitute a quorum and the concurrence of said majority should be adequate for any decision of the Council: Provided, that were a disposition or rehabilitation proposal is involved, the decision of the Council must be unanimous. In case they are unable to attend, the Chairman and Members may designate any of their immediate subordinates with the rank of Undersecretary or its equivalent to represent them in the meetings of the Council.

The Council shall act on any recommendation for disposition not later than thirty (30) days from the date of its submission to the Council.

Section 5. Legal Counsel. The Secretary of Justice shall be the ex-officio adviser to the Council on legal matters.

Section 6. Funding. The Council shall be provided with an initial budget of Ten Million Pesos (P10,000,000.00) to be drawn from the Organizational Adjustment Fund. Appropriations for the succeeding years shall be incorporated in the budget proposal for the Office of the President.

Article III. Privatization and Management Office

Section 1. Organization- There is hereby organized under the Department of Finance an Office called Privatization and Management Office (PMO), hereinafter referred to as the “Office”.

The Office shall be headed by a Chief Privatization Officer (CPO) who shall be appointed by the President of the Philippines upon recommendation of the Secretary of Finance.

The Chief Privatization Officer shall be assisted by four (4) Deputy Privatization Officers who shall be in charge of specific operations and undertakings as directed by the Chief Privatization Officer. These Deputy Privatization Officers shall be appointed by the Secretary of Finance upon recommendation by the Chief Privatization Officer.

Section 2. Powers and Functions. In addition to the powers, duties and functions under Proclamation No. 50, as amended, the Office shall be empowered to implement the actual marketing/dispotion program for government corporations, assets and idle properties after securing prior approval of the Council, to execute and deliver, on behalf of the National Government, the deeds of sale, contracts and other instruments as may be necessary or appropriate to convey title to such assets, to take title to and possession and conserve assets transferred to it, to engage external expertise as necessary in the fulfillment of its tasks, to adopt internal rules and regulations and to submit periodic reports to the Council on the status of the disposition program.

Any and all sales and other modes of privatization or disposition shall not be considered final unless and until approved by the Council.

All receipts from the sale of assets of the Office, except portions thereof for reimbursable custodianship and/or operational expenses, shall be remitted to the National Treasury.

Section 3. Powers and Functions of the CPO. The CPO shall have the following powers and functions:

1. To enter into management and other contracts as may be appropriate; and
2. To develop the staffing requirements of the Office, and for this purpose, appoint, remove and fix the remuneration of the personnel of the Office: Provided, That as far as practicable, the CPO should rely on secondment from government entities undertaking related functions, and or qualified external expertise in an advisory capacity and on a contractual basis.

Section 4. Qualifications. No person shall be appointed an Officer unless he or she is of good moral character, of unquestionable integrity and responsibility, and of recognized business competence. No person, or director, officer, consultant or stockholder of corporations constituting or having any interest in the assets assigned to the Office may be appointed as an Officer.

Section 5. Internal Guidelines. The Office, through its Chief Privatization Officer, may adopt and implement such internal rules and regulations necessary or convenient for the proper discharge of the functions of the Office. Provided, That such internal rules and regulations must be in accordance with existing laws, orders, decrees and proclamations. Provided further, That such rules and regulations may be subsequently amended, abrogated or disapproved by the Secretary of Finance.

Section 6. Funding. The Office shall be provided with an initial budget of Thirty Million Pesos (P30,000,000.00) to be drawn from the Organizational Adjustment Fund. The Office shall be allowed to retain commissions, due diligence fees and proceeds from the sale of Asset Bidding Rules, information memoranda and similar documents, as well as a portion or percentage of proceeds from disposition efforts, not to exceed ten percent (10%), to be approved by the Council to maintain a revolving fund to be utilized for the payment of fees and reimbursable expenses and of the costs and

expenses incurred by the Office in the conservation and disposition of the assets held by it or in the performance of its other responsibilities under this Executive Order.

Appropriations for the succeeding year shall be incorporated in the budget proposal for the Department of Finance.

Article IV. Operational Provisions

Section 1. Transfer of Assets. Pursuant to the provisions of Republic Act No. 8758, the financial assets of APT shall be transferred for disposition by the President to a trust department of the Land Bank of the Philippines. The physical assets remaining at the end of the term of APT shall immediately be transferred to the Office under the Department of Finance for appropriate disposition.

Section 2. Utilization of Proceeds. Upon the effectivity of this Executive Order, all receipts from the sale of assets shall be remitted to the National Treasury in the following proportion: sixty percent (60%) to the special account of the Agrarian Reform Fund and forty percent (40%) to the general fund: Provided further, That except for the subsidiaries of the Government Service Insurance System and the Social Security System, all government owned and controlled corporations shall remit to the National Treasury at least fifty percent (50%) of the net proceeds derived from the sale of shares or assets effective October 1, 1992. Provided further that the net proceeds shall mean gross proceeds less related liabilities and selling expenses as stipulated in the provisions of Republic Act No. 7661.

Section 3. Sale to Small Local Investors. Pursuant to the provisions of Republic Act No. 7886, a minimum of 10% of the sale of assets in corporate form shall be reserved to small local investors to develop the domestic capital market.

Any of the following transactions shall be deemed compliance on sale to small local investors: (a) Initial Public Offering (IPO), (b) Employee Stock Option/Ownership Plans (ESOPs). Provided, that the Social Security System and Government Service Insurance System shall grant loans to qualified employees of the firms under privatization who would like to avail the ten percent (10%) stock offering as provided in this Executive Order, (c) sale to private and government employees, overseas workers, small farmers/fisherfolks and cooperatives through Government Financial Institutions such as GSIS, LBP, DBP and HDME, (d) sale of assets/shares to individual investors not exceeding a maximum of P100,000.00, (e) sale to retirement funds, pension funds and other funds managed on behalf of employees and other individuals, (f) sale of privatization bonds issued by the Republic of the Philippines provided that the terms of such privatization bonds give the option to holders thereof to exercise the exchange option contained in such bonds either into shares in corporate assets privatized through the IPO or into a cash amount where the privatized corporate asset is being sold to one or more block investors.

Article V. Miscellaneous Provisions

Section 1. Separability Clause-Any portion or provision of this Executive Order that may be declared unconstitutional or invalid shall not have the effect of the nullifying the other provisions thereof: Provided, That the remaining portions can still stand and be given effect in their entirety to accomplish the objectives of this Order.

Section 2. Repealing Clause- All executive orders, rules and regulations and other issuances or parts thereof that are inconsistent with the provisions of this Executive Order are hereby repealed and modified accordingly.

Section 3. Effectivity - This Executive Order shall take effect upon publication but not earlier than January 1, 2001.

DONE in the City of Manila, this 6th day of December, in the year of our Lord, two thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**
President
Republic of the Philippines

By the President:
RONALDO B. ZAMORA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 324

AMENDING SECTION 2 OF EXECUTIVE ORDER NO. 249 DATED MAY 24, 2000,
ENTITLED, ESTABLISHING THE PRESIDENTIAL AWARDS FOR BEST PERFORMER
LOCAL GOVERNMENT UNITS AGAINST ILLEGAL DRUGS

WHEREAS, the institutionalization of a system of providing incentives and rewards is designed to propel local officials and their constituents to perform better and achieve a drug-free society;

WHEREAS, Local Government Units as mandated by law includes provincial government.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order:

SECTION 1. Section 2 of Executive Order No. 249, s. 2000 is hereby amended to read as follows:

“**SECTION 2.** Categories of Awards. – The following categories of Presidential Awards are hereby created:

- a. Best Performer Province of the Philippines
- b. Best Performer City of the Philippines
- c. Best Performer Municipality of the Philippines
- d. Best Performer Barangay of the Philippines”

SEC. 2. Repealing Clause. – All orders, issuances or part thereof which are inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

SEC. 3. Effectivity. – This Executive Order shall take effect immediately.

Done in the City of Manila, this 6th day of December, in the year of Our Lord, two thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:
(Sgd.) **RONALDO B. ZAMORA**
Executive Secretary

Source: Presidential Management Staff

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 325
EXTENDING THE TERM OF THE PRESIDENTIAL COMMISSION FOR THE NEW
CENTURY AND THE MILLENNIUM, AND FOR OTHER PURPOSES

WHEREAS, the Presidential Commission for the New Century and the Millennium (“PCNCM”) is the lead body tasked to develop and recommend to the President of the Philippines the country’s strategic visions and goals for the next century, especially in the field of science and technology for agriculture;

WHEREAS, the PCNCM has already instituted several projects and programs pursuant to its mandate under Executive Order No. 129, s. 1999 as amended by Executive Order No. 185, s. 1999;

WHEREAS, the National Planning Conference for the Master Plan on the New Millennium, a program spearheaded by the PCNCM, will be conducted in the first quarter of the year 2001;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. **Extension of Term.** – Section 5 of Executive Order No. 128 s. 1999 is hereby amended to read as follows:

“Section 5. **Cessation of the Commission.** – The term of existence of the PCNCM shall cease on June 30, 2001.

SECTION 2. **Funding.** – No additional funds shall be allocated for the extended term of the Commission; provided, that all unexpected funds of the Commission pursuant to Section 8 of Executive Order 128, s. 1999 as amended, shall be utilized to carry out its projects and fund its operations until June 30, 2001; provided further, that the Department of Budget and Management is hereby instructed to allow the realignment of funds of the Commission to carry out its purposes.

SECTION 3. **Repealing Clause.** – All orders, issuances or any part thereof which are inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

SECTION 4. **Effectivity.** – This Executive Order shall take effect immediately.

Done in the City of Manila, this 7th day of December, the Year of our Lord, Twentieth Hundred.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

(Sgd.) **RONALDO B. ZAMORA**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 326
REPEALING SECTION 7 OF ADMINISTRATIVE ORDER NO. 170

WHEREAS, the Department of Health has issued the Revised Implementing Rules and Regulations of Republic Act No. 7305, otherwise known as the Magna Carta of Public Health Workers, taking into consideration the “implementability” and “assurance of equality” of the same and at all levels on the health care delivery system;

WHEREAS, however, Section 7 of Administrative Order No. 170 provides that “no further grant of new or increased benefits under Republic Act No. 7305 shall be authorized for national government health workers unless there is prior consultation with local government units as to their financial capability to extend the same benefits to the locally paid health workers”;

WHEREAS, the existence of the above-mentioned provisions of Section 7 of Administrative Order No. 170 has suspended the full implementation of the giving of benefits to health workers under Republic Act No. 7305;

WHEREAS, it is thus necessary to repeal the above-mentioned provisions of law, considering further that prior consultation as required by law indicate that local government units have acquired the capability to grant the benefits and privileges embodied in the Magna Carta for Public Health Workers;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The provisions of Section 7 of Administrative Order No. 170 is hereby repealed and revoked.

SEC 2. All laws, orders, issuances and rules and regulations or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC 3. This Executive Order shall take effect immediately.

IN WITNESS WHEREOF, I have hereunto set my hands and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 9th day of December, in the year of Our Lord, two thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

(Sgd.) **RONALDO B. ZAMORA**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 327
ABOLISHING THE TAGAYTAY-TAAL PRESIDENTIAL COMMISSION

WHEREAS, the growing needs of the masses which deserve preferential action necessitate the streamlining of bureaucracy to raise the needed funds to respond thereto;

WHEREAS, the President, pursuant to Administrative Code of 1987, has the continuing authority to reorganize the administrative structure of the Office of the President to achieve simplicity, economy and efficiency;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby abolish the Tagaytay-Taal Presidential Commission created pursuant to Executive Order No. 84, series of 1993.

All executive issuances, orders and regulations, or parts thereof inconsistent with this Executive Order are hereby revoked or modified accordingly.

This Executive Order shall take effect immediately.

Done in the City of Manila, this 9th day of December, in the year of Our Lord, Two Thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

(Sgd.) **RONALDO B. ZAMORA**

Executive Secretary

Source: Presidential Management Staff

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 328

FURTHER AMENDING EXECUTIVE ORDER NO. 270 SERIES OF 2000, EXTENDING UP TO SEPTEMBER 30, 2000 THE IMPLEMENTATION OF THE “WINDING UP” OF OPERATIONS OF THE CORDILLERA EXECUTIVE BOARD (CEB), CORDILLERA REGIONAL ASSEMBLY (CRA) AND CORDILLERA BODONG ADMINISTRATION (CBA) AS PROVIDED UNDER THESE AGENCIES SPECIAL PROVISION IN THE GENERAL APPROPRIATIONS ACT (GAA) FOR FISCAL YEAR 2000, TO FURTHER EXTEND SAID “WINDING UP” ACTIVITY TO MARCH 31, 2001

WHEREAS, Executive Order No. 220 series of 1987, created the Cordillera Administrative Region (CAR) to administer the affairs of the government in the region, accelerate the economic and social growth and development of the units thereof and prepare the establishment of the autonomous region in the Cordillera;

WHEREAS, E.O. 220 further provided for the activation of the Cordillera Executive Board (CEB), Cordillera Regional Assembly (CRA) and Cordillera Bodong Administration (CBA);

WHEREAS, the Special provision in the GAA for the CAR for FY 2000 mandates that the amounts appropriated for CAR shall be used to wind-up the activities of the Cordillera agencies including the separation and retirement benefits of all affected employees; Provided, that any deficiency in the amount for payment of terminal leave and retirement gratuity benefits shall be taken from the Miscellaneous Personnel Benefit Fund;

WHEREAS, Republic Act No. 6656 recognizes the need to protect the security of tenure of civil service officials and employees in the re-organization process without sacrificing the promotion of morale, efficiency, integrity, responsiveness, progressiveness and courtesy in the civil service, pursuant to Article IX, B, Section 3 of the Constitution;

WHEREAS, the winding up of the three Cordillera bodies and the final disposition of its personnel, assets and liabilities require inter-agency coordination for its smooth and orderly implementation;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by the law do hereby order:

SECTION 1. *Government Operations.* For purposes of Governmental operations, the integrity of the Cordillera Administrative Region as composed of the provinces of Abra, Benguet, Ifugao, Kalinga, Apayao and Mt. Province and the Chartered City of Baguio shall be maintained as created by virtue of EO 220 and all regional offices and agencies of the National Government established in the Cordillera Administrative Region shall continue to serve the region.

SEC 2. *Creation of Special Task Force.* A Special Task Force is hereby created to be chaired by the Executive Secretary or his duly authorized representative, with the Secretary of Budget and Management, the Chairman of the Cordillera Regional Assembly and the Executive Director of the

Cordillera Executive Board as members, who shall provide policy guidelines for, and oversee, the final disposition of personnel, functions, assets and liabilities of the CAR.

SEC 3. *Development Council.* The Cordillera Regional Assembly and the Cordillera Executive Board shall continue in the meantime its developmental concerns for the CAR during the period.

SEC 4. *Transfer or Re-employment of CEB, CRA and CBA Personnel.* Affected personnel shall be given priority in hiring for existing vacant positions in other government agencies, subject to compliance with established qualification standards set by the receiving agencies. The transfer to or re-employment of affected personnel with other agencies shall be exempt from the prohibition of new hiring under Administrative Order No. 100 dated December 1, 1999.

SEC 5. *Separation or Retirement of CEB, CRA and CBA Personnel.* All affected personnel qualified for retirement may elect optional retirement, as they may deem proper. All benefits, including payment of accrued leave credits, that may lawfully be given to affected employees by virtue of their transfer, retirement or separation from service shall be paid within one (1) month from the filing of the necessary clearances and other pertinent documents.

SEC 6. *Transfer of Assets and Liabilities.* All assets and liabilities of CEB, CRA and CBA upon the expiration of this extension period shall be transferred without cost to the Presidential Assistant for Regional Concerns (PARECO-NL) pending appropriate and final disposition.

SEC 7. *Transfer of CEB Properties.* Immediate transfer of CEB properties located in Tabuk, Kalinga to the province and in Lubuagan to the municipal government shall be effect.

SEC 8. *Extension of Period.* The Special Task Force, in coordination with other concerned agencies is hereby given until March 31, 2001 within which to implement the deactivation of the CAR bodies. It shall be assisted by a skeletal force consisting of personnel occupying positions listed in Annex "A" hereof for the task of winding-up of CAR operations and the safekeeping of its resources. The CRA and CEB skeletal force shall be headed by its present Chairman and Executive Director respectively, including a representative of the CBA, to ensure proper guidance and smooth operation of said agencies in their winding-up activities. Unless otherwise transferred to other agencies, members of the skeletal force will be deemed separated from the service after March 31, 2001 unless otherwise provided for by law.

SEC 9. *Support of Other Agencies.* The Special Task Force may request assistance from the Civil Service Commission, Commission on Audit and such other agencies of government as may be necessary to assist in the smooth implementation of this Order.

SEC 10. *Funding Requirements.* Funds for the implementation of this order shall sourced from agency savings, by realignment of funds of the Cordillera bodies or upon request augmented by the Department of Budget and Management (DBM) and also from the organizational adjustment fund. The DBM shall give preference to the payment of accounts payable, accrued leave credits, separation and retirement benefits to affected personnel from the Miscellaneous Personnel Benefits Fund.

SEC 11. *Final Report.* The Special Task Force shall submit its final report and recommendation on the de-activation of CEB, CRA and CBA to the President not later than March 31, 2001.

SEC 12. *Separability Clause.* Any portion or provision of this Executive Order that may be declared unconstitutional shall not have the effect of nullifying other portions or provisions of the Order for as long as such remaining portions can still subsist and be given effect.

SEC 13. *Repealing Clause.* All executive orders, rules, and regulations and other issuances or parts thereof, which are inconsistent with the provisions of this Executive Order, we hereby revoked or modified accordingly.

SEC 14. Effectivity. This Executive Order shall take effect immediately.

Done in the City of Manila, this 27th day of December, in the year of Our Lord, two thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

(Sgd.) **RAMON B. CARDENAS**

Acting Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 329
APPROVING AN AMNESTY PROGRAM FOR ALL OVERSEAS WORKERS
WELFARE ADMINISTRATION (OWWA) LIVELIHOOD LOANS

WHEREAS, pursuant to its mandate to promote the welfare of Overseas Filipino Workers (OFWs) and their dependents, the Overseas Workers Welfare Administration or OWWA, hereinafter referred to as OWWA, has instituted a livelihood program designed to provide alternative income sources and augment the living income of OFWs and their dependents;

WHEREAS, after eleven (11) years of implementation and favorable indications of success of the program, the OFW program avalees have accumulated loan arrearages which has made difficult their regularization of loan payments;

WHEREAS, the OWWA Board of Trustees, after a thorough deliberation during a Special Meeting on 21 May 1999, has approved program changes and policy recommendations, including the Amnesty Program of all livelihood loans;

WHEREAS, said program improvements and policy recommendations are in line with the government's thrust to alleviate the plight and unburden the clients;

WHEREAS, the strategy has been proven effective in the recovery of exposure, which likewise for OWWA, shall increase funding for livelihood relending purposes and improve the repayment rate;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby approve the Amnesty Program of all OWWA Livelihood Loans in accordance with the following:

SECTION 1. COVERAGE AND APPLICATIONS. The Amnesty Program shall apply to all delinquent accounts released by OWWA under the direct lending operations of the 1) National Livelihood Support Fund (NLSF); 2) Expanded Livelihood Fund (ELF); and 3) Non-Collateralized Loan Fund.

Livelihood loan avalees with arrearages as of effectivity of this order shall apply in writing subject to processing and action as per governing rules.

SEC 2. QUALIFICATIONS FOR AMNESTY. Delinquent borrowers shall be made to settle a minimum of 20% of outstanding balances on the principal and interests as a precondition to acceptance to the Amnesty Program;

SEC 3. AMOUNT FOR CONDONATION. The amount to be condoned shall include all penalties on delinquent loans or the difference between the total outstanding balance and the sum of unpaid principal and interests.

SEC 4. PROCEDURES OF THE PROGRAM. The Amnesty Program shall be implemented through the following stages:

- a. Upon approval of application and payment of the required 20% of the outstanding balance on the principal and interests, all penalties shall be condoned;
- b. After condonation of penalties, the outstanding balance shall be restructured, the period of which shall be determined by the amount being settled up to a maximum of three (3) years;
- c. Interests shall be charged for the adjusted repayment period;
- d. Failure to comply with the stipulations of the new payment scheme shall render the entire amount due and demandable.

SEC 5. OTHER PROVISIONS. Accounts already foreclosed with property titles or proofs of ownership in case of chattle mortgage, still not consolidated in the name of OWWA may avail of the benefit, provided that all expenses relative to the foreclosure are paid plus the accrued interest on the loan from the time of foreclosure.

Foreclosure proceedings shall be suspended during the effectivity of the Amnesty Program to allow borrowers to avail of the benefits of the program.

SEC 6. EFFECTIVITY. The Amnesty Program shall take effect upon signing of order for a period of one year.

Done in the City of Manila, this 29th day of December, in the year of Our Lord, two thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RAMON B. CARDENAS

Acting Executive Secretary

Source: Presidential Management Staff

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 330

AMENDING EXECUTIVE ORDER NO. 300 DATED OCTOBER 12, 2000,
WHICH DECLARED AND DELINEATED THE LOAY PORT ZONE UNDER THE
ADMINISTRATIVE JURISDICTION OF THE PHILIPPINE PORTS AUTHORITY

Upon recommendation of the General Manager, Philippine Ports Authority and pursuant to the powers vested in me by law, I **JOSEPH EJERCITO ESTRADA**, President of the Philippines, do hereby amend Executive Order No. 300 dated October 12, 2000, which declared and delineated the Loay Port Zone in Loay, Bohol as part of Port System of the country by correcting the technical description thereof which should read as follows:

“Beginning at point marked 1 on the plan, thence to point 2 at a distance of 49.05m with bearing S36°30’W, thence to point 3 at a distance of 19.10m with bearing S12°00’W, thence to point 4 at a distance of 53.03m with bearing S57°11’E, thence to point 5 at a distance of 85.18m with bearing S36°02’W, thence to point 6 at a distance of 201.02m with bearing S87°16’W, thence to point 7 at a distance of 187.10m with bearing N08°30’E, thence to point 8 at a distance of 43.10m with bearing N42°45’E, thence to point 9 at a distance of 75.35m with bearing N23°40’E, thence to point 10 at a distance of 46.10m with bearing N10°10’E, thence to point 11 at a distance of 91.04m with bearing N00°25’W, thence to point 12 at a distance of 6.06m with bearing S89°21’E, thence to point 13 at a distance of 19.19m with bearing N20°05’E, thence to point 14 at a distance of 94.70m with bearing S80°15’E, thence to point 15 at a distance of 16.20m with bearing S54°50’E, thence to point 16 at a distance of 36.91m with bearing S12°00’E, thence to point 17 at a distance of 45.06m with bearing N75°38’W, thence to point 18 at a distance of 12.05m with bearing S18°13’W, thence to point 19 at a distance of 16.02m with bearing S20°10’E, thence to point 20 at a distance of 11.11m with bearing S10°30’W, thence to point 21 at a distance of 17.09m with bearing S75°45’E, thence to point 22 at a distance of 29.90m with bearing S30°10’W, thence to point 23 at a distance of 11.14m with bearing S48°48’W, thence to point 24 at a distance of 32.51m with bearing S50°00’E, thence to point 25 at a distance of 55.12m with bearing S20°05’W, thence to point 26 at a distance of 4.00m with bearing S70°08’E, thence to point 27 at a distance of 34.10m with bearing S04°44’W, thence to point 28 at a distance of 20.02m with bearing S35°25’E, thence to point 29 at a distance of 6.82m with bearing S46°50’E, thence to point 1, the point of beginning at a distance of 19.08m with bearing S46°55’E, all in all comprising a total area of 59,636.69 sq. m., more or less.”

The amendment will not affect the proclaimed area but would rather correct the documentation.

Done in the City of Manila, this 29th day of December, in the year of Our Lord two thousand.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

(Sgd.) **RAMON B. CARDENAS**

Acting Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 331
CREATING AN INTER-AGENCY TASK FORCE TO COMBAT SECURITIES-FRAUD

WHEREAS, there are growing complaints among the international business communities that Securities-Fraud are being committed on their jurisdiction by Philippine-registered corporations or spurious Philippine-based companies, and aforesaid firms that are owned and controlled by transnational elements with dubious identities and characters;

WHEREAS, universal consensus reflecting Securities-Fraud as a form of money laundering is becoming evident, it being a crime committed by crossing the border of another country thus validates the commission of a transnational crime;

WHEREAS, recent studies indicate that transnational crime such as: illicit trafficking of narcotic drugs and psychotropic substances, money laundering, terrorism, arms smuggling, trafficking in persons, piracy, credit card fraud, identity fraud, and cross border Securities-Fraud are interlinked with each other;

WHEREAS, transnational crime is a national security concern as embodied under the National Security Policy Framework crafted by the National Security Council, and its increasing complexity, specifically on Securities-Fraud, demands a concerted, synchronized and focused effort from all economic, intelligence, enforcement, and prosecution agencies of the government as well as in the private sector;

WHEREAS, transnational organized-crime groups utilize the Philippines in launching these remote-controlled Securities-Fraud operations anywhere in the globe, thereby eroding the integrity of the Philippine Corporate Registry and challenging the vulnerabilities of the Philippine Securities Act before the eyes of the international business community;

WHEREAS, the establishment of the inter-agency, anti-fraud task force is imperative in order to secure both significant and sustainable international cooperation to implement immediate, appropriate proactive and reactive response to this economic menace.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Creation of an inter-agency task force to be called as the “Anti-fraud Task Force or ATF.”* The ATF to combat Securities-Fraud is hereby created under the Office of the President to formulate and implement a concerted program of action for the prevention and control of Securities-Fraud.

SEC 2. a. Membership/Composition. The members of the ATF shall be composed of the following government agencies:

1. Philippine Center on Transnational Crime (PCTC)
2. National Bureau of Investigation (NBI)
3. Bureau of Immigration (BI)
4. National Prosecution Office (NPS)

5. Bangko Sentral ng Pilipinas (BSP)
6. Bureau of Internal Revenue (BIR)
7. Department of Trade and Industry (DTI)
8. Bureau of Customs (BOC)
9. Department of Foreign Affairs (DFA)
10. Board of Investment (BOI)
11. Securities and Exchange Commission (SEC)
12. Department of Labor and Employment (DOLE)
13. National Economic Development Authority (NEDA)
14. Professionals from the business sector

b. Management Committee. The Management Committee of the ATF (MANCOM-ATF) to combat Securities-Fraud shall be composed of authorized and security-cleared representatives of the following agencies and shall be headed by the SEC as the Chairperson:

- 1) Department of Finance (DOF)
- 2) Department of Trade and Industry (DTI)
- 3) Department of Justice (DOJ)
- 4) Department of Foreign Affairs (DFA)
- 5) Philippine Center on Transnational Crime (PCTC)

c. Working Groups. The ATF to combat Securities-Fraud shall have five (5) major working groups, which shall be manned by specialist from the different agencies mentioned in Sec. 2 para a, above:

- 1) Intelligence;
- 2) Information Management System;
- 3) Investigation;
- 4) Legal, Extradition and Prosecution; and
- 5) International Cooperation.

SEC 3. Secretariat. The Philippine Center on Transnational Crime (PCTC) shall serve as the Secretariat of the ATF. It shall be supported by the Prosecution and Enforcement Department (PED) of SEC. Specifically, it shall be responsible in orchestrating operational researches, documentations and logistical-support machinery building.

SEC 4. Powers and Functions. The ATF shall formulate and implement strategies in order to secure and protect the following vital economic activities from being victimized by organized financial/commercial fraudsters:

- 1) Pre-need
 - 2) Future Commodities Trading
 - 3) Investment Houses
 - 4) Mutual Funds
 - 5) Stocks and Bonds
 - 6) Gold and Currency Certificates and Notes
 - 7) Others
-

In order to effectively carry out its mission and function, ATF shall pursue programs and activities in the following specific areas of concern:

- 1) Advocacy, Training and Other Preventive Measures;
- 2) Intelligence Build-up and Networking
- 3) Law Enforcement and Prosecution
- 4) Legislative Initiatives
- 5) Bilateral, Regional and International Cooperation and
- 6) Other areas relevant to the suppression of Economic/ Commercial Fraud.

SEC 5. *Other Support Agencies.* The ATF may seek the assistance and support of any Department, Bureau, Office or any government agency, and engage the civil society in the attainment of its objectives.

SEC 6. *Coordinating Instructions:* (As reflected in the Manual of Coordinated-Operations.)

- a. ***Implementing Rules and Regulations.*** The ATF to combat Securities-Fraud shall convene within 30 days after the effectivity of this Order to consider and approve necessary rules and regulations from the implementation of this Order.
- b. ***Data/Information Sharing.*** The ATF shall ensure the effective exchange of data, information, or any pertinent report between and among member-agencies and support agencies subject to conditions in the Security Clearance Code.
- c. ***Security and Confidentiality of Data/Information.*** Data and information acquired from agencies or derived from special researches and studies shall be treated as confidential and shall be used only for lawful and official purposes. The ATF shall formulate the necessary Security Clearance Code that will define the levels of access on a “NEED-TO-KNOW-BASIS ONLY.”
- d. ***Meetings.*** The ATF shall meet regularly on a monthly basis or as often as necessary.
- e. ***Reporting.*** The ATF shall submit appropriate report and recommendation to the President through the SEC and DOF at least twice a year or as often as may be deemed necessary.

SEC 7. *Funding.* The ATF shall have an initial funding of ten million pesos (P10M) sourced from the Presidential Contingency Fund to cover the preliminary programs and activities. Thereafter, succeeding additional fund requirements shall be coursed through the Department of Budget and Management under the budget appropriation of SEC.

SEC 8. *Effectivity.* This order shall take effect immediately.

Done in the City of Manila, this 29th day of December, in the year of Our Lord, two thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) RAMON B. CARDENAS
Acting Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 332

**CREATING THE INVESTMENT EXPRESS LANE OFFICE UNDER THE OFFICE OF THE
PRESIDENT AND TRANSFERRING THE ADMINISTRATIVE SUPERVISION OF THE
INVESTMENT OMBUDSMAN TO THE ECONOMIC COORDINATING COUNCIL**

WHEREAS, there is an urgent need to attract, generate and sustain a high level of investments in agriculture, industry, services, construction, transport, road networks, irrigation, major infrastructure activities, telecommunications and other sectors from local and foreign investors;

WHEREAS, there is a further need to fast-track and facilitate pump-priming projects, whether through Official Development Assistance (“ODA”), Build-Operate-Transfer (“BOT”) schemes, or private investments, which would sustain development and growth efforts of government;

WHEREAS, in order to attract pump-priming activities, government should take a more proactive stance to provide assistance to current and potential investors, expedite the screening and approval process for ODA and BOT projects, and facilitate and coordinate the processing of all documents, clearances, permits and other requirements for the whole duration of these projects and investments;

WHEREAS, there are already numerous government agencies handling and facilitating investments and funding for pump-priming projects, including the NEDA-Investment Coordinating Council (“NEDA-ICC”), Investment One-Stop Action Center (“OSAC”) and the Investment Promotion Units (“IPUs”) under the Board of Investments, and the Office of the Investment Ombudsman (“OIO”);

WHEREAS, despite the work undertaken by these agencies, there remains an urgent need to refocus, consolidate and strengthen existing government offices and agencies currently processing and facilitating these investments in order to make government more responsive to the needs of investors in view of the highly competitive global environment;

WHEREAS, in order to place the highest priority on facilitating pump-priming projects, an Investment Express Lane Office (“IELO”) should be created under the Office of the President which will fast-track and facilitate the flow of investments into the country;

WHEREAS, there is a need to transfer the Office of the Investment Ombudsman, which is under the administrative supervision of the Department of Trade and Industry, back to the Office of the President under the direct supervision of the ECC;

WHEREAS, the President has continuing authority to reorganize the administrative structure of the Office of the President pursuant to Executive Order No. 292 (Administrative Code of 1987);

WHEREAS, under the General Appropriations Act, the President may direct changes in the organization and key positions in any department, bureau or agency;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order the following:

Section 1. **Creation of Investment Express Lanes Office.** There is hereby created an Investment Express Lane Office (“**IELO**”) under the Office of the President, to be supervised by the Economic Coordinating Council (“**ECC**”).

Section 2. **Composition of the IELO.** The IELO shall be headed by the Vice-Chairman of the ECC. A secretariat is hereby established to assist the Vice-Chairman of the ECC in the performance of his functions.

Section 3. **Functions of the IELO.** The IELO shall cause the facilitation, expeditious processing, approval and release of all government permits, licenses and requirements of investment-entities, ODA and BOT projects with a total investment of at least Fifty Million Pesos (P50,000,000.00) in the case of agricultural and agri-based projects and One Hundred Million Pesos (P100,000,000.00) in all other projects (“**Qualified Investors**”). In addition, it shall have the following functions:

(a) Serve as the link between the Office of the President and all government agencies and local government units in the processing and approval of registration and licensing requirements and start-up of operations;

(b) Facilitate the expeditious issuance and approval of registration and licensing requirements and other national and local governmental requirements in the start-up and in the ongoing operations of Qualified Investors through the establishment of Investment Express Lanes;

(c) Set time-bound processing of documents and standards necessary for the start-up and operations of Qualified Investors which will shorten existing periods for processing of documents and streamline and improve existing standards affecting Qualified Investors;

(d) Identify bottlenecks often encountered by Qualified Investors and recommend and formulate remedial measures to remove the same;

(e) Assist government departments, agencies, bureaus and corporations and local government units in complying with this Order;

(f) Ensure the consistency and complementation of all issuances, pronouncements, plans, programs and projects, and proposed legislation affecting Qualified Investors; and

(g) Exercise such other powers and perform such other duties as may be required.

Section 4. **Qualified Investors.** The Vice-Chairman of the ECC, in consultation with the ECC, may determine an investor to be a Qualified Investor within the meaning of this Order even though the requirements laid down in Section 3 are not met; Provided, that the IELO shall set the criteria for such Qualified Investors in the Implementing Rules and Regulations.

Section 5. **Location of IELs.** IELs shall be established in strategic locations as may be determined by the ECC. In addition, an internet website shall be established to facilitate processing, registration and follow-up queries from Qualified Investors.

Section 6. **Transfer of the Administrative Supervision Over the Office of the Investment Ombudsman to the Office of the President.** The administrative supervision of the Office of the Investment Ombudsman created under Executive Order No. 180, as amended by Executive Order No. 224, is hereby transferred to the ECC. The Investment Ombudsman shall monitor and ensure that the objectives of this Order are carried out fully and effectively.

Section 7. **Support and coordination.** In fulfilling the objectives of this Executive Order, all government departments, bureaus, agencies and corporations and local government units are hereby required to extend full support to and coordination with the IELO.

Section 8. **Funding.** To carry-out the provisions of this Order, the amount of Ten Million Pesos (P10,000,000.00) shall be allotted as initial funding, which shall come from the budget of the Office of the President.

Section 9. **Repealing Clause.** All executive issuances or portions thereof inconsistent with this Order, are hereby repealed or modified accordingly.

Section 10. **Effectivity.** This Executive Order shall take effect immediately.

DONE, in the City of Manila, this 26th day of December, in the Year of our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RAMON B. CARDENAS
Senior Deputy Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2000). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

MALACAÑANG RECORDS OFFICE

EXECUTIVE ORDER NO. 333

Based on the records available on file and in the possession of Malacañang Records Office, Executive Order No. 333 of Presidential Issuances of Joseph Ejercito Estrada was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 334

MODIFYING THE NOMENCLATURE AND THE RATES OF IMPORT DUTY ON CERTAIN IMPORTED ARTICLES UNDER SECTION 104 OF THE TARIFF AND CUSTOMS CODE OF 1978 (PRESIDENTIAL DECREE NO. 1464), AS AMENDED

WHEREAS, the reduction in tariff levels and in the spread of tariff rates towards a uniform level of protection across all sectors will promote global competitiveness, simplify the tariff structure for ease of customs administration and provide a level playing field for local manufacturers vis-à-vis foreign competition;

WHEREAS, Section 401 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, empowers the President to increase, reduce or remove existing protective rates of import duty, as well as to modify the form of duty upon the recommendation of the National Economic and Development Authority;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in “Annex A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the rates of import duty in accordance with the schedule indicated opposite each article.

SECTION 2. The nomenclature and the rates of import duty on tariff headings not enumerated and those listed but represented by the symbol “X X X” shall remain in force and effect.

SECTION 3. Upon the effectivity of this Executive Order, the articles specifically listed in the aforesaid “Annex A” which are entered in or withdrawn from warehouses in the Philippines for consumption shall be levied the rates of duty herein prescribed.

SECTION 4. All other Presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

SECTION 5. This Executive Order shall take effect 01 January 2001 following its complete publication in two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, this 3rd day of JANUARY, in the year of our Lord Two Thousand One.

(Sgd.) **JOSEPH EJERCITO ESTRADA**

By the President:

(Sgd.) **RAMON B. CARDENAS**

Acting Executive Secretary

Source: **Presidential Museum and Library**

Office of the President of the Philippines. (2001). [*Executive Order Nos.: 231 - 337*]. Manila: Presidential Museum and Library.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 335

CONSTITUTING THE JOINT ENFORCEMENT AND MONITORING COMMITTEE TO IMPLEMENT THE PEACE AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES AND THE REBOLUSYONARYONG PARTIDO NG MANGGAGAWA SA PILIPINAS/REVOLUTIONARY PROLETARIAN ARMY/ALEX BONCAYAO BRIGADE

WHEREAS, a Peace Agreement was signed and executed on 06 December 2000 between the Government of the Republic of the Philippines (GRP) and the Rebolusyonyong Partido ng Manggagawa sa Pilipinas/Revolutionary Proletarian Army/Alex Boncayao Brigade (RPM-P/RPA/ABB) on the basis of their mutual interest to pursue a peaceful settlement of the present armed conflict and hasten the progress and development of the country to equally enjoy the fruits thereof by all citizens of the Republic of the Philippines.

WHEREAS, the Peace Agreement provides for the release of political prisoners and for the dismissal of charges filed against RPM-P/RPA/ABB officers and members currently under prosecution and for them to reintegrate and join the civil society;

WHEREAS, the Peace Agreement also calls for the implementation by the GRP of various development projects such as livelihood, housing assistance, education and training, primary health care, agriculture and irrigation facilities, farm-to-market roads, post harvest facilities, micro-finance and credit programs, transport and hauling facilities, among others.

WHEREAS, the Peace Agreement also provides for the organization of a Joint Enforcement and Monitoring Committee to ensure and monitor the implementation of the provisions of the Peace Agreement, including the release of political prisoners and the implementation of various development projects to assist these released political prisoners

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Constitution of Committee. – The Joint Enforcement and Monitoring Committee is hereby composed of the following members:

1. Secretary Alexander P. Aguirre, representing the GRP
2. Undersecretary Anselmo S. Avenido Jr., representing the GRP
3. Ariel Sabandar, representing the RPM-P/RPA/ABB
4. Veronica Tabara, representing the RPM-P/RPA/ABB
5. The fifth member, who is of known integrity, impartiality, ability and patriotism, shall be chosen by representatives of both the GRP and the RPM-P/RPA/ABB.

The Committee shall form and organize a Secretariat to support them in the performance on their functions.

SECTION 2. Reintegration Fund. – A Reintegration Fund is hereby created/set-up for the implementation of programs/projects that will assist the political prisoners who shall be released

from imprisonment under the Peace Agreement. Specifically, the Fund shall be utilized to support the reintegration to civil society and other development undertakings of RPM-P/RPA/ABB political prisoners. The Reintegration Fund which shall amount to Ten Million Pesos (P10,000,000.00), shall be sourced from the President's Social Fund.

The Committee shall manage the utilization of the said Reintegration Fund subject to the existing government rules and regulations.

SECTION 3. Budget. – The Secretary of the Department of Budget is hereby directed to release the amount of Five Million Pesos (P5,000,000.00) from the President's Contingent Fund (PCF), to initially cover the operational expenses of the Committee and its Secretariat. Thereafter, additional funds shall be released by the DBM subject to the submission of a Work and Financial Plan as may be drawn up for the purpose by the Committee.

SECTION 4. Effectivity. – This Executive Order shall take effect immediately.

Done in the City of Manila, this 4th day of January, in the Year of Our Lord, Two Thousand One.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) SDES RAMON B. CARDENAS

Acting Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2001). *[Executive Order Nos.: 1 - 338]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 336
RECONSTITUTING THE NATIONAL ACTION COMMITTEE ON ANTI-HIJACKING
AND ANTI-TERRORISM (NACAHT) AS THE NATIONAL COUNCIL
FOR CIVIL AVIATION SECURITY (NCCAS)

WHEREAS, the National Action Committee on Anti-Hijacking (NACAH) was first organized on April 28, 1976 through Letter of Instruction 399 following the 1976 Zamboanga PAL hijacking incident. The NACAH was reconstituted on June 24, 1990 through EO 393. By virtue of Republic Act 6975 the NACAH was again reconstituted on April 5, 1991 through EO 242, the chairman was then transferred from the Department of National Defense (DND) to the Department of the Interior and Local Government (DILG);

WHEREAS, the alarming and increasing incidence of terrorism worldwide including the recent occurrences in our country directed against civil aviation has downplayed law enforcement effort and capabilities to counter terrorism;

WHEREAS, it is significant to provide and establish a more effective mechanism primarily to contain threats of aviation-related terrorism and secondarily to strengthen our law enforcement capabilities to effectively address all forms of terroristic acts against civil aviation;

WHEREAS, the threat of terrorism against civil aviation directed terrorism continues to be a major concern in the aspect of peace and order in general and in the security of the civil aviation industry in particular;

WHEREAS, there is a need to adopt/implement concrete measures geared towards a total approach to the problem of terrorism in the country directed against civil aviation industry by reconstituting NACAHT;

WHEREAS, in its resolve to effectively address the problem of terrorism, the government had issued Executive Order Number 246, s. of 1995, thereby reconstituting the National Action Committee on Anti-Hijacking (NACAH) into the National Action Committee on Anti-Hijacking and Anti-Terrorism (NACAHT) accordingly;

WHEREAS, in order to successfully coordinate and orchestrate cognizant government agencies against this problem, the Philippine National Police had reclassified terrorism per se as a transnational crime;

WHEREAS, in the absence of a formal document specifically redefining the mission and function of both Philippine Center for Transnational Crime and the National Action Committee on Anti-Hijacking and Anti-Terrorism the co-existence of this two distinct and separate police agencies may eventually lead to strategic and tactical problems arising from conflicts of interest and jurisdiction on matters related to the problem of terrorism;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by the law, do hereby order:

SECTION 1. National Action Committee on Anti-Hijacking and Anti-Terrorism (NACAHT) is hereby reconstituted and renamed as the National Council for Civil Aviation Security (NCCAS).

SEC 2. The composition of the NCCAS shall be the following:

Chairman	–	Secretary of the Interior and Local Government
Vice Chairman	–	Secretary of National Defense
Member	–	Secretary of Budget and Management
Member	–	Secretary of Finance
Member	–	Secretary of Foreign Affairs
Member	–	Secretary of Justice
Member	–	Secretary of Transportation and Communications
Member	–	Press Secretary
Member	–	Director-General, Air Transportation Office
Member	–	National Security Adviser
Member	–	Presidential Consultant on Police Affairs
Member	–	Group Commander, Presidential Security Group
Member	–	Director-General, National Intelligence Coordinating Agency
Member	–	Bureau of Immigration and Deportation
Member	–	Chief, Philippine National Police

SEC 3. In addition to the provisions of Letter of Instructions No. 399 dated 28 April 1976, Sections 2 and 3 of Executive Order No. 393 dated 24 January 1990, and Section 3 of Executive Order No. 246 dated 18 May 1995, the NCCAS shall:

(a) Formulate plans to direct, control, supervise and integrate all measures aimed at preventing and suppressing all terrorist threats to civil aviation especially hijacking, commandeering, sabotage of plane and airport facilities, violence directed against civil aviation personnel as well as the plane riding public and/or the citizens-at-large, and all other forms of terrorism with the end in view of protecting Philippine national interests, and

(b) To develop and continue enhancing the level of operational effectiveness of local law enforcement agencies under jurisdiction and immediate supervision of the NCCAS.

SEC 4. The NCCAS shall establish close coordination and cooperation with concerned agencies of countries which are vigorously opposed to international terrorism to enable the Philippine government to actively participate in the concerned effort to secure civil aviation industry in general and the air transportation facilities together with all personnel situated therein. The NCCAS shall further enhance the intelligence and operational functions of concerned entities and authorities in dealing with activities of both terrorists and suspected terroristic cells and organizations.

SEC 5. The NCCAS is hereby authorized to call upon and involve the other departments, bureaus, agencies, offices and other instrumentalities of the government to provide assistance in the effective implementation of this Executive Order.

SEC 6. All powers, functions, and resources of the NACAHT, as stipulated in Letter of Instruction No. 339 dated 28 April 1976, as amended by Executive Order Nos. 393, 454 and 246, shall be absorbed by the NCCAS.

SEC 7. Letter of Instruction No. 399 series of 1976, Executive Order No. 393, series of 1990, Executive Order No. 452, series of 1991 and Executive Order No. 246, series of 1995 are modified accordingly.

SEC 8. This Executive Order shall take effect immediately.

Done in the City of Manila, this 5th day of January, in the year of Our Lord, two thousand one.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RAMON B. CARDENAS

Acting Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2001). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 337
INSTITUTING MEANINGFUL REFORMS MODERNIZING THE OFFICE OF THE PRESIDENT

WHEREAS, technological advances and rapid socio-economic change require a modern presidency capable of riding the wave of the future by acting more speedily, openly, transparently and responsively to the ever-changing needs of society;

WHEREAS, the structure of the Office of the president must be reviewed in order to make it most responsive to public interest, allowing it to efficiently deliver public services, promote transparency in all transactions and actions, insure consistency in all economic and social policies, achieve political stability and accelerate economic growth and progress;

WHEREAS, such reform and reorganization must address the immediate needs of the Office of the President in terms of leadership and direction, professional management, improved and more efficient and effective procedures and systems, and total teamwork and coordination of the various offices thereunder, thereby promoting the President's closer supervision and coordination of all Cabinet decisions and providing quick response by the Executive Department to the Filipino people's expectations and needs;

WHEREAS, it is deemed advisable that the President be freed from bureaucratic processes and time-consuming measures so that he can concentrate his precious time on the most urgent matters of State, most notably, the maintenance of peace and order and the continuing war against poverty;

WHEREAS, to achieve meaningful reforms in the Office of the President, there is a need for the Executive Secretary to fully exercise all his powers and functions delineated under Section 27, Chapter 9, Title III of Executive Order No. 292, otherwise known as the Administrative Code of 1987;

WHEREAS, such reforms likewise require the strengthening of the Economic Coordinating Council ("ECC") by reconstituting the same and expanding its functions to enable the Council to more effectively address the present economic problems and ensure coordination among all the government agencies involved in economic programs;

WHEREAS, there is a further need for the President to be able to directly and immediately respond to charitable and humanitarian concerns;

WHEREAS, under the Administrative Code of 1987, the President has continuing authority to reorganize the administrative structure of the Office of the President in order to attain simplicity, economy and efficiency;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, hereby direct and order as follows:

Section 1. *Strengthened Economic Coordinating Council.* The ECC, as a vehicle for socio-economic reform under Executive Order No. 193 (Series of 2000), as amended by Executive Order No. 217 (Series of 2000), is hereby further strengthened to more effectively address its mandate. The ECC is hereby reconstituted with the Secretary of Finance as Chairman and the Executive Secretary as Vice Chairman. In addition to its existing powers and functions, the ECC is further empowered to:

(a) Consider and endorse to the President and the Cabinet the National Expenditure Program, its appropriation and sources of financing;

(b) Evaluate and approve the program of disbursement of the General Appropriations Act for the Executive Department, any order or issuance to the contrary notwithstanding, in order to ensure full support to government policies and programs in accordance with its approved priorities; and

(c) Ensure that the processing, approval and implementation of major projects, investments and undertakings of government are expedited and fast-tracked.

To facilitate and ensure the accomplishment of ECC's mandate, the Development Budget Coordinating Council ("DBCC") and the Investment Coordinating Council ("ICC") are hereby attached to the ECC for coordination and policy direction. The Investment Express Lane Office ("IELO") is hereby likewise placed under the direct supervision of the ECC, with the Chairman of the ECC acting as head thereof.

Section 2. *Executive Secretary.* The Executive Secretary is hereby tasked to assist the President in upholding the utmost levels of professionalism, integrity and transparency in the various offices and agencies under the Executive Department. He shall also ensure coordination and consistency of policy in the Executive Department. Towards this end, the Executive Secretary is hereby enjoined to strictly carry out his functions and exercise all of the powers enumerated in Section 27, Chapter 9, Title III of the Administrative Code of 1987, any previous inconsistent Executive Orders and issuances notwithstanding. All agencies under the Executive Department are hereby directed to extend to the Executive Secretary all assistance and cooperation necessary to enable him to effectively perform such powers and duties as well as other powers and duties as the President may delegate to him in accordance with law.

In line with the foregoing and subject to the control and supervision of the President, the Executive Secretary shall, in the name of and by authority of the President, perform the following functions:

(a) Improve teamwork in the Executive Department by acting as overall coordinator for the President of the work of the Cabinet;

(b) Exercise control and supervision over the Executive Office, Common Staff Support System and the Presidential Special Assistants/Advisers System under the Office of the President, including but not limited to the following:

- (i) Presidential Management Staff;
- (ii) Office of the Presidential Legal Counsel;
- (iii) Presidential Legislative Liaison Office;
- (iv) Office of all Presidential Assistants and Advisers;
- (v) Protocol Office; and
- (vi) Appointments Office.

(c) Exercise control and supervision over all agencies under the chairmanship of the President, those under the supervision and control of the President, those under the administrative supervision of the Office of the President, those attached to it, and those that are not placed by law or order creating them under any specific department ("**Agencies under the Office of the President**");

(d) Whenever directed by the President, preside at Cabinet meetings and all other meetings where the President is the Chairman or presiding officer;

(e) Ensure transparency, integrity and legality in government dealings and transactions by evaluating, approving and initialing all documents, contracts and other papers before submission to the President for his final approval;

(f) Assist and advise the President in issuing executive orders, regulations, proclamations and other issuances, the promulgation of which is expressly vested by law in the President; Provided, that no presidential issuance shall be valid and enforceable unless it bears the confirmation of the Executive Secretary;

(g) Evaluate, recommend, initial and release all appointments for positions requiring presidential appointment;

(h) Constitute and preside over the caretaker committee tasked to oversee government operations whenever the President is on official foreign travel;

(i) Evaluate and submit recommendations on matters requiring personal Presidential action, including those coming from members of the Cabinet and constitutional offices;

(j) Ensure the speedy processing, approval and implementation of major projects, investments and commitments of government in a transparent manner conducive to economic growth and development;

(k) Submit to the ECC proposals for major policy reforms affecting the national economy for the consideration, recommendation and endorsement of the ECC;

(l) Act or decide for the President on all other matters that do not require personal Presidential attention; and

(m) Perform such other functions as the president may direct and delegate to him from time to time.

All Heads of Departments and Agencies, including Government Owned and Controlled Corporations (“GOCCs”), shall submit all papers, documents, contracts and appointments requiring personal Presidential action to the Executive Secretary for his prior evaluation in order to ensure consistency with all government policies and programs and compliance with budgetary, legal and personnel requirements.

Section 3. *President’s Social Fund.* Notwithstanding the foregoing, the President’s Social Fund shall be directly under the President, who may disburse the same for charitable and humanitarian concerns.

Section 4. *Reorientation and Reorganization Power.* The Executive Secretary is hereby authorized to reorganize, streamline, merge, deactivate or dispose of assets under the Executive Office, Common Staff Support System, Presidential Assistants/Advisers System, and the Agencies under the Office of the President, in the manner provided by pertinent laws, rules and regulations.

Section 5. *Repealing Clause.* All other executive issuances or portions thereof inconsistent with this Order are repealed or modified accordingly.

Section 6. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila this 8th day of January, in the Year of our Lord Two Thousand and One.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:
(Sgd.) EDGARDO J. ANGARA
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2001). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT

EXECUTIVE ORDER NO. 338
RESTRUCTURING THE DEPARTMENT OF AGRICULTURE,
PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES

WHEREAS, the Department of Agriculture (DA) is the agency mandated by the Agriculture and Fisheries Modernization Act of 1997 (AFMA, R.A. No. 8435) and the Fisheries Code of 1998 (R.A. No. 8550) to lead in the interdepartmental efforts to modernize Philippine agriculture and fisheries, and thereby improve the quality of life of the majority of the people who are directly or indirectly dependent on agriculture and fisheries for livelihood;

WHEREAS, AFMA calls for prudent governance of the DA bureaucracy, reorientation of its agencies and bureaus to achieve efficiency and improved synergy in the use of scarce government resources, and creation of new offices to address neglected areas and concerns that have hampered sustained growth and development in agriculture and fisheries;

WHEREAS, the Safeguard Measures Act of 2000 (R.A. No. 8800), the Countervailing Act of 1998 (R.A. No. 8751), and the Anti-Dumping Act of 1999 (R.A. No. 8752) call for expanded functions of the DA to address issues concerning unfair foreign competition and trade practices in agriculture and fisheries;

WHEREAS, in compliance with Executive Order No. 162 (1999), the DA has prepared the Agriculture Bureaucracy Restructuring Plan (ABRP) consistent with the intent of AFMA and the abovementioned laws;

WHEREAS, the ABRP streamlines and reorients the structure of the DA along functional lines to achieve efficiency, enhance coordination, improve access of farmers and fishermen to support services, strengthen its partnership with local government units, and reduce the cost of doing business in agriculture and fisheries;

WHEREAS, the immediate implementation of the ABRP is critical to the Government's efforts to sustain the recent major gains in the agriculture and fisheries sector;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order:

SEC. 1. *Mandate.* The Department of Agriculture shall be the principal Government agency responsible for the promotion of agricultural and fisheries development and growth. In pursuit of this mandate, the DA shall provide the policy framework, help direct public investments, and in partnership with local government units (LGUs), provide the support services necessary to make agriculture and agri-based enterprises profitable and to help spread the benefits of development to the poor, particularly those in rural areas.

SEC. 2. *Powers and Functions.* In fulfilling its mandate, the DA shall perform the following functions:

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- (a) The creation of a policy environment conducive to sustained growth of incomes in the agriculture and fisheries sector. The DA shall actively advocate for the adoption of policies supportive of long-term growth and development in the sector, as well as for the repeal of or amendment of policies which impede such growth;
 - (b) The provision of agriculture and fishery infrastructure support (i.e., irrigation facilities, farm-to-market roads, fish ports, postharvest facilities, etc.) to encourage private sector investments in agriculture and fisheries;
 - (c) The generation, verification, and dissemination of information relevant to productivity growth and development. The DA shall undertake research and development programs which strengthen the linkage between research and extension, develop and broaden the adoption of productivity-enhancing production and processing technologies, identify and promote local capabilities for sustainable resource management, and assess market options for various commodities in agriculture and fisheries;
 - (d) The production, testing, and dissemination of superior plant and animal germplasm. In support of private sector initiatives, the DA shall develop, produce, and distribute superior crop varieties and breeds of livestock and fish suited to Philippine conditions, focusing on the extension, demonstration, and provision of parent stock and fish juveniles;
 - (e) The facilitation of market access and the promotion of agro-based enterprises. The DA shall assist agricultural producers and business entrepreneurs, particularly low-income farmers, in processing and marketing their produce, establishing links with processors and buyers, forging marketing agreements, facilitating access to the international market, and availing of finance, credit guarantee and insurance facilities;
 - (f) Regulatory control over particular agriculture-related areas and concerns for the following objectives: protect the health and safety of the population; prevent over-exploitation of resources; prevent and/or contain the spread of plant, fish, and animal pests; protect agricultural producers from the influx of imports made cheap through subsidies by the exporting countries; implement international commodity agreements which the Philippines has acceded to; and ensure the quality of Philippine agricultural exports;
 - (g) Implementation of empowerment programs to provide access to benefits of development to groups which have been disadvantaged due to inequitable distribution of resources or due to market failures;
 - (h) Performance of other functions as may be provided by law.

SEC. 3. *Organizational Structure.* The DA shall consist of the Office of the Secretary, Department Services and Bureaus, Regional Offices, and attached agencies and corporations.

The Office of the Secretary shall consist of the following:

- (a) The Secretary and his immediate staff as determined by him;
 - (b) Office of Inspectorate General;
 - (c) Corporate Affairs Office;
 - (d) Office of the Department Spokesperson; and
 - (e) Office of Regional Executive Directors
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The Department Services and Bureaus shall be grouped along functional lines, as follows:

- (a) Extension, LGU Support, and Infrastructure;
- (b) Research and Development;
- (c) Fisheries and Regulation;
- (d) Policy, Planning, and Project Development; and
- (e) Finance and Administration.

The organizational structure of the DA, as defined in this Executive Order, is presented in Annex “A” hereof.

SEC. 4. *Office of the Secretary.* The Secretary shall be assisted by five (5) Undersecretaries, six (6) Assistant Secretaries, the Inspectorate General, and the Department Spokesperson.

SEC. 5. *Undersecretaries.* The Undersecretaries shall assist the Secretary in the exercise of the mandate and in the discharge of the powers and functions of the DA.

The five (5) Undersecretaries shall be assigned the following functions:

- (a) The Undersecretary assigned to Extension, LGU Support and Infrastructure shall oversee the implementation of the plans, policies, programs, and projects relating to extension and marketing assistance, infrastructure, and support to LGUs, especially for devolved agricultural services. He shall have direct supervision of the Assistant Secretary for Extension and LGU Support and of the National Irrigation Administration (NIA);
- (b) The Undersecretary assigned to Research and Development shall take the lead in formulating and implementing the R&D programs of the DA and shall coordinate the R&D plans, programs, and projects of the various bureaus and agencies of the DA, as well as with other entities such as state universities and colleges, to ensure that these are in conformity with the thrusts and priorities of the DA as mandated by AFMA. He shall have supervision of the Bureau of Agricultural Research (BAR), Bureau of Postharvest Research and Extension (BPRE), Bureau of Soils and Water Management (BSWM), Philippine Carabao Center (PCC), Cotton Development Authority (CODA), and the Philippine Rice Research Institute (PhilRice);
- (c) The Undersecretary assigned to Fisheries and Regulation shall oversee the implementation of plans, programs, and projects relating to fisheries and shall have direct supervision of all the fishery agencies and bureaus attached to the DA. In addition, he shall lead the development and enforcement of products standards and food-safety rules consistent with internationally accepted practices. He shall have supervision of the Assistant Secretary for Regulation and of the Bureau of Fisheries and Aquatic Resources (BFAR), National Fishery Research and Development Institute (NFRDI), and the Philippine Fisheries Development Authority (PFDA);
- (d) The Undersecretary assigned to Policy, Planning, and Project Development shall provide policy advice to the Secretary, as well as policy and planning support services to the various DA offices, bureaus, and agencies, particularly in policy-formulation, planning, and project development. He shall also supervise the collection, monitoring, and publication of agricultural statistics for the DA and its clientele. He shall have supervision of the Assistant Secretary for Policy, Planning, and Project Development and of the Bureau of Agricultural Statistics (BAS), and Agricultural Credit and Policy Council (ACPC), Trade Remedies Office (TRO);
- (e) The Undersecretary assigned to Finance and Administration shall oversee the provision of staff support services, particularly in administration and finance management, to all DA offices and agencies. In addition, he shall be responsible for providing services relating to legal

and legislative concerns of the DA. He shall serve as the liaison of the DA with the Congress of the Philippines and concerned offices in the Executive Branch. He shall have supervision of the Legal and Legislative Affairs Service (LLAS), Financial and Management Service (FMS), and the Administrative Service (AS) through the Assistant Secretary for Finance and Administration.

SEC. 6. *Functions of the Undersecretaries.* With respect to his area of responsibility, an Undersecretary shall have the following functions:

- (a) Advise the Secretary in the promulgation of orders and other issuances, with respect to his area of responsibility;
- (b) Exercise supervision and control over the offices, services, operating units, and officers and employees under his responsibility;
- (c) Promulgate rules and regulations, consistent with the policies of the DA, that will efficiently and effectively govern the activities of the units under his responsibility;
- (d) Coordinate the functions and activities of the units under his responsibility with those of other units under the responsibility of the other Undersecretaries;
- (e) Exercise delegated authority on matters related to the functions and activities of the units under his responsibility to the extent granted by the Secretary; and
- (f) Perform such other functions as may be provided by law or assigned by the Secretary.

SEC. 7. *Functions of the Assistant Secretaries.* Each of the six (6) Assistant Secretaries shall head any of the following: Office of Corporate Affairs; Office of Regional Executive Directors; Extension and LGU Support; Regulation; Policy, Planning, and Project Development; and Finance and Administration. The Assistant Secretaries shall have the following functions:

- (a) The Assistant Secretary assigned to the Office of Corporate Affairs shall oversee the following government corporations that have been attached to the DA by order of the President: Strategic Investments and Development Corporation (SIDCOR) and its subsidiaries; and Livelihood Corporation (LIVECOR) and its subsidiaries. In addition, he shall oversee the operations of the Countertrade Unit, created by virtue of this Executive Order to expand export opportunities for Philippine agricultural products, as well as the Philippine Crop Insurance Corporation (PCIC) and the Quedan and Rural Credit Guarantee Corporation (QuedanCor);
 - (b) The Assistant Secretary assigned to the Office of Regional Executive Directors shall coordinate and provide technical support to the operations of the Regional Executive Directors. He shall oversee the Field Operations Service of the DA;
 - (c) The Assistant Secretary assigned to Extension and LGU Support shall assist the Undersecretary for Extension, LGU Support, and Infrastructure in the implementation of plans, programs, and projects relating to agricultural extension and support services to LGUs, including infrastructure development. He shall also oversee the Agricultural Training Institute (ATI) and the Agribusiness and Marketing Assistance Service (AMAS) and supervise the implementation at the LGU level of special projects supported by official development assistance;
 - (d) The Assistant Secretary assigned to Regulation shall assist the Undersecretary for Fisheries and Regulation in the development and enforcement of products standards and food-safety rules consistent with internationally accepted practices. He shall have supervision of the Bureau of
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- Agriculture and Fisheries Product Standards (BAFPS), National Meat Inspection Commission (NMIC), and Fertilizer and Pesticide Authority (FPA);
- (e) The Assistant Secretary assigned to Policy, Planning and Project Development shall assist the Undersecretary for Policy, Planning, and Project Development in developing, integrating, monitoring and evaluating all plans and programs of the Department. He shall have supervision of the Policy Research Service (PRS), the Planning Service (PS), and the Project Development Service (PDS);
 - (f) The Assistant Secretary assigned to Finance and Administration shall assist the Undersecretary for Finance and Administration. He shall directly oversee the Legal and Legislative Affairs Service, the Financial and Management Service, and the Administrative Service.

The six (6) Assistant Secretaries shall, in addition to the abovementioned duties, perform such other functions as may be assigned by the Secretary.

SEC. 8. *Legal and Legislative Affairs Service.* The Legal and Legislative Affairs Service, hereby created by this Order in view of the expanded functions of the DA, shall handle the legal requirements of the DA, including those pertaining to the quasi-judicial and regulatory functions of the DA, its Bureaus, and Attached Agencies/Corporations. The Service shall also liaise with Congress of the Philippines and concerned offices in the Executive Branch for the advocacy and legislation of laws required to modernize agriculture and fisheries.

The Service shall report to the Undersecretary for Finance and Administration through the Assistant Secretary for Finance and Administration.

SEC. 9. *Corporate Affairs Office.* The Corporate Affairs Office, hereby created by this Order, shall ensure appropriate monitoring of selected government-owned and controlled corporations that have been attached to the DA by order of the President. These corporations include SIDCOR and its subsidiaries and LIVECOR and its subsidiaries. The Office shall also oversee the PCIC, QuedanCor, and the Countertrade Unit of the DA.

The Office shall report to the Secretary through the Assistant Secretary for Corporate Affairs.

SEC. 10. *Countertrade Unit.* The Countertrade Unit, hereby created by this Order, shall be the body which shall explore, negotiate, and conclude countertrade agreements for purposes of increasing exports of Philippine agricultural products. The Unit shall review and monitor the implementation of such agreements, as well as perform such other functions as the Secretary may assign.

The Unit shall report to the Secretary through the Office of the Assistant Secretary for Corporate Affairs.

SEC. 11. *Office of the Inspectorate General.* The Office of the Inspectorate General, hereby created by this Order, shall serve as monitoring body whose functions shall include:

- (a) Monitoring of ongoing programs and projects of the DA, its attached agencies and bureaus, whether foreign-assisted or regular, implemented by the OSEC units, RFUs, bureaus, attached agencies and corporations for purposes of checking the progress, performance of the personnel, and financial flows of the programs and projects;
 - (b) Reviewing the effectiveness of delivery of services by, and the performance of, the RFUs, the bureaus, attached agencies, corporations, and other units of the DA and recommending appropriate measures to be undertaken;
 - (c) Performing such other functions as the Secretary may assign.
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The Inspectorate General, who shall have the rank of Assistant Secretary, shall report directly to the Secretary.

SEC. 12. *Office of the Regional Executive Directors.* The Office of the Regional Executive Directors (ORED) shall coordinate the activities of the Regional Executive Directors. It shall have supervision of the Field Operations Service (FOS). The ORED, through the FOS, shall serve as the principal logistics and support unit for the implementation of the Field Programs, the operations of the Regional Field Units (RFUs), and the services to extension functions of the LGUs.

The ORED shall be headed by an Assistant Secretary and shall have direct supervision of the Field Operations Service.

SEC. 13. *Office of the Department Spokesperson.* The Office of the Department Spokesperson, hereby created by this Order, shall speak for the Secretary and coordinate with all officials and personnel of the DA, its attached agencies, bureaus, and corporations, as well as with various associations of government officials, non-government organizations, and people's organizations, in formulating an aggressive public information campaign for the DA policies, programs and projects. The Department Spokesperson shall oversee the Agriculture and Fisheries Information Service (AFIS), the DA Press Office, and the Information Technology Center for Agriculture and Fisheries (ITCAF). He shall as well facilitate all other functions given him by the Secretary.

The Department Spokesperson, who shall have the rank of Assistant Secretary, shall report directly to the Secretary.

SEC. 14. *Agribusiness and Marketing Assistance Service.* The Agribusiness and Marketing Assistance Service (AMAS), created pursuant to Administrative Order No. 6 (1998), shall facilitate and coordinate the efforts of the DA in all matters pertaining to agribusiness development and marketing assistance to include collaboration and provision of assistance to the private sector, including concerned non-governmental organizations, people's organizations, farmers and fisherfolk, in marketing and agribusiness ventures.

The Director of AMAS shall report to the Undersecretary for Extension, LGU Support and Infrastructure.

SEC. 15. *Trade Remedies Office.* The Trade Remedies Office (TRO), hereby created by this Order, shall be a body responsible for the implementation of the Anti-dumping, Countervailing, and Safeguard laws. The TRO shall assist the Secretary in the conduct of the following functions: initiation of action, review of petitions from the private sector; serving notices to concerned parties; assessment of petitions; and imposition of duty. The TRO may also perform such other functions as the Secretary may assign.

The Director of the TRO shall report to the Secretary through the Undersecretary for Policy, Planning and Project Development.

SEC. 16. *Policy Research Service.* The Policy Research Service (PRS), created pursuant to DA Administrative Order No. 6 (1998), shall serve as the central body for policy research, formulation, and advocacy. It shall perform and/or manage research, policy formulation, and advocacy work to be able to:

- (a) Ensure policy consistency across bureaus, agencies, programs, and activities of the DA;
- (b) Formulate the legislative agenda in support of agriculture and fisheries modernization;
- (c) Push the Philippine agriculture and fisheries agenda within key international organizations and bodies, both bilateral and multilateral, such as the World Trade Organization, Food and Agriculture Organization of the United Nations, Association of Southeast Asian Nations, and Asia Pacific Economic Cooperation;

- (d) Influence/safeguard overall public policy consistent with the long-term growth and development of the agricultural and rural economy.

The Director of the PRS shall report to the Assistant Secretary for Policy, Planning and Project Development.

SEC. 17. *Project Development Service.* The Project Development Service (PDS), created pursuant to DA Administrative Order No. 6 (1998), shall translate the agriculture and fishery development plans and programs of the DA into specific project proposals. It shall identify and formulate projects, source and mobilize resources to operationalize them, and ensure quality and quantity of pipeline projects in support of agriculture and fishery modernization.

The Director of PDS shall report to the Assistant Secretary for Policy, Planning and Project Development.

SEC. 18. *Planning Service.* The Planning Service (PS) shall spearhead the formulation, consolidation, validation, monitoring, and evaluation of the plans and programs, as well as the rational allocation of public investments necessary for agricultural modernization, as mandated by AFMA. The Service shall coordinate with all DA units and stakeholders in the formulation of the overall framework and parameters for the development of the agriculture and fishery plans and programs.

The PS shall be supervised by the Assistant Secretary for Policy, Planning and Project Development.

SEC. 19. *Financial and Management Service.* The Financial and Management Service (FMS) shall advise the DA top management on matters relating to budgeting, accounting, and management. It shall facilitate the release of funds by the DA to enhance delivery of necessary support services to the clientele of the DA.

The Director of the FMS shall report to the Assistant Secretary for Finance and Administration.

SEC. 20. *Administrative Service.* The Administrative Service (AS) shall be responsible for providing personnel, records, information, training, and other general services.

The Director of the AS shall report to the Assistant Secretary for Finance and Administration.

SEC. 21. *Bureaus and Offices.* The following bureaus and offices, as functionally restructured, shall carry out the mandate of the DA:

- (a) Agricultural Training Institute
- (b) Bureau of Agricultural Research
- (c) Bureau of Agricultural Statistics
- (d) Bureau of Agriculture and Fisheries Product Standards
- (e) Bureau of Animal Industry
- (f) Bureau of Fisheries and Aquatic Resources
- (g) Bureau of Plant Industry
- (h) Bureau of Postharvest Research and Extension
- (i) Bureau of Soils and Water Management
- (j) National Fishery Research and Development Institute.

SEC. 22. *Agricultural Training Institute.* The Agricultural Training Institute shall:

- (a) Lead in the formulation of the national agriculture and fisheries extension (AFE) agenda and budget;
- (b) Prepare an integrated plan for publicly-funded training programs in agriculture and fisheries;

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- (c) Formulate and issue guidelines in planning, implementing, monitoring, and evaluating AFE programs;
 - (d) Assist, in coordination with State universities and colleges (SUCs), the LGU extension system by improving their effectiveness and efficiency through capability-building and complementary extension activities such as technical assistance, training of LGU personnel, improvement of physical facilities, extension cum research, and information support services.

SEC. 23. *Bureau of Agricultural Research.* The Bureau of Agricultural Research shall be the body tasked to consolidate and strengthen the national agricultural and fisheries research system for increased effectiveness and efficiency. To achieve its mission, the BAR shall:

- (a) Serve as the secretariat for R&D of the Council on Extension, Research and Development in Agriculture and Fisheries (CERDAF);
- (b) Coordinate and strengthen the National Research and Development System in Agriculture and Fisheries (NaRDSAF) towards the generation and transfer of technologies useful to the country's productive system and national life;
- (c) Manage the R&D Fund of the DA based on the guidelines approved by CERDAF;
- (d) Provide leadership in the formulation of the National Integrated Research and Development, and Extension Agenda Programs (NIRDEAPs) and the Regional Integrated Research and Development, and Extension Agenda Programs (RIRDEAPs);
- (e) Coordinate the development and implementation of a manpower development program for researchers, technical and non-technical staff of the R&D system;
- (f) Develop and implement a program for the acquisition, upgrading, and maintenance of R&D facilities and equipment;
- (g) Implement a monitoring and evaluation system on agriculture and fisheries R&D in collaboration with the appropriate institutions;
- (h) Develop and maintain an agriculture and fisheries R&D information system linked to the National Information Network (NIN); and
- (i) Establish and strengthen partnerships with national and international R&D institutions.

SEC. 24. *Bureau of Agricultural Statistics.* The Bureau of Agricultural Statistics shall be the primary agency of the Government responsible for all statistics on agriculture, fishery and related fields. Specifically, it shall:

- (a) Collect, compile, and release official agricultural statistics;
- (b) Exercise technical supervision over data collection centers;
- (c) Coordinate all agricultural statistics and economic research activities of all bureaus, corporations, and offices under the DA.

SEC. 25. *Bureau of Agriculture and Fisheries Product Standards.* The Bureau of Agriculture and Fisheries Product Standards (BAFPS) shall be the main agency responsible for the coordination and strengthening of various aspects of standards formulation and implementation. In collaboration and coordination with appropriate Government agencies and the private sector, the BAFPS shall:

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- (a) Formulate and enforce standards of quality in the processing, preservation, packaging, labeling, importation, exportation, distribution, and advertising of agriculture, fisheries, and aquaculture products;
 - (b) Conduct research on product standardization, and alignment of local standards with international standards; and
 - (c) Conduct regular inspection of processing plants, storage facilities, abattoirs, as well as public and private markets in order to ensure freshness, safety, and quality of products.

SEC. 26. *Bureau of Animal Industry*. As restructured, the Bureau of Animal Industry shall:

- (a) Develop technologies that improve and sustain the development of the livestock and poultry industry which ensure food security and competitiveness of the local produce in the global market;
- (b) Plan, coordinate, and implement research and development programs for livestock and poultry, especially concerning genetics and breeding system, animal nutrition, feeds and feeding system, animal health and disease control and containment, and post-production and value-adding meat products technology;
- (c) Conserve, improve, and utilize genetic resources through biotechnology and genetic engineering;
- (d) Encourage active participation of the private sector in the sustainable development of the animal industry by creating a conducive investment climate for livestock and poultry production;
- (e) Institutionalize linkages with RFUs, SUCs, LGUs, NGOs, and other government instrumentalities to address technological needs for the sustainable development of the livestock and poultry industry;
- (f) Conduct quality control testing of feeds and veterinary biologicals and drugs to safeguard animal health and industries;
- (g) Investigate, diagnose, and report cases of communicable and emerging exotic diseases affecting livestock and poultry;
- (h) Establish a workable investigation, surveillance, reporting and appraisal system for animal diseases, including uniform collation of data and information on disease occurrences;
- (i) Set a quarantine inspection system relative to inter-regional and international movement of animals, animal products including documentation and issuance of permit and commodity clearance in relation hereto;
- (j) Adopt measures that would prevent the entry of exotic and communicable diseases into the country consistent with international standard, statutes, protocol set for inter-country and intra-regional cooperation;
- (k) Formulate long- and short-range policies, rules and regulations regarding the registration and licensing and quality assurance for the operations of feed manufacturers, feed dealers, and feedstuff importers, and drug manufacturers, traders, and distributors; and
- (l) Recommend specific policies and procedures governing the flow, handling, and transport of livestock/poultry and livestock/poultry products.

SEC. 27. *Bureau of Fisheries and Aquatic Resources*. In pursuance of the Fisheries Code of 1998, the Bureau of Fisheries and Aquatic Resources shall:

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- (a) Prepare and implement a Comprehensive National Fisheries Industry Development Plan;
 - (b) Coordinate efforts on fishery production undertaken by the primary fishery producers, LGUs, and fishery organizations/cooperatives;
 - (c) Coordinate with LGUs and other concerned agencies for the establishment of productivity enhancing and market development programs in fishing communities;
 - (d) Establish a corps of specialists, in collaboration with the Departments of National Defense, Interior and Local Government, and Foreign Affairs, for the efficient monitoring, control, and surveillance of fishing activities;
 - (e) Enforce all laws, rules and regulations governing the conservation and management of fishery resources;
 - (f) Issue licenses for the operation of commercial fishing vessels, and identification cards to fish workers engaged in commercial fishing;
 - (g) Monitor and review joint fishing agreements between Filipino citizens and foreigners who conduct fishing activities in international waters;
 - (h) Advise and coordinate with LGUs on the maintenance of proper sanitation and hygienic practices in fish markets and fish landing areas;
 - (i) Implement an inspection system for import and export of fishery/aquatic products and fish processing establishments consistent with international standards to ensure product quality and safety; and
 - (j) Develop value-added fishery products for domestic consumption and export.

SEC. 28. *Bureau of Plant Industry.* The Bureau of Plant Industry shall:

- (a) conduct upstream research and development on various crops, namely tropical fruits, legumes, white potatoes and semi-temperate vegetables;
- (b) Preserve the Philippine natural genetic resources for continued development of new crop varieties of superior horticultural and agronomical characteristics;
- (c) Provide plant pest surveillance and early warning information that would ensure effective crop management for the protection of the Philippine crop industry; and
- (d) Ensure the availability of basic seeds and quality plant materials of recommended crop varieties/cultivars.

SEC. 29. *Bureau of Postharvest Research and Extension.* The Bureau of Postharvest Research and Extension shall:

- (a) Reduce postharvest losses through the development, diffusion, and application of location-specific and cost-effective postharvest technologies for agriculture, fisheries, and aquaculture products;
- (b) Develop and disseminate safe and cost-effective postharvest pest-and-disease management processes and technologies; and
- (c) Provide institutional and technical support for private sector participation in postharvest technology development and diffusion.

SEC. 30. *Bureau of Soils and Water Management.* The Bureau of Soils and Water Management shall be responsible for the sustainable use, management and proper conservation of soil and water

resources, as well as productivity improvement of marginal farms. In the pursuit of this mission, the BSWM shall:

- (a) Formulate and implement, in coordination with BAR, the National Soil and Water Research and Development Programs, and institutionalize the Soil and Water Resources Research Network Systems in the country;
- (b) Provide, in coordination with the ATI and SUCs, services for capacity building and information dissemination on soil and water resources conservation and management technologies;
- (c) Provide, in coordination with the Department's RFUs and LGUs, technical assistance on sustainable productivity improvement and monitoring of land use changes in Strategic Agriculture and Fishery Zone (SAFDZ) areas;
- (d) Conduct research and develop appropriate technologies/approaches for sustainable use of water resources; use and management of organic fertilizers from farm residues and urban wastes; balanced fertilization; rainwater harvesting; land degradation prevention and management; water resource management in marginal uplands and degraded lowlands; management of saline-induced and acid sulfate for fishery and agricultural development; land and water resource mapping; production of inoculants;
- (e) Develop information materials in print and broadcast media for information dissemination of soil and water technologies;
- (f) Provide technical assistance to regional and provincial laboratories in the formulation of laboratory standards and analysis for soil, water, fertilizer, and plant materials;
- (g) Conduct cloud seeding operations in drought affected areas as required; and
- (h) Establish and collaborate with a network of partner institutions and organizations in the conduct of various soil and water conservation and farm productivity improvement research;

SEC. 31. *National Fishery Research and Development Institute.* The National Fishery Research and Development Institute shall be the main DA unit for the conduct and coordination of fishery research and development. It shall:

- (a) Establish a national, technologically advanced research facility which shall carry out the research needs of the fisheries sector;
- (b) Provide a venue for training and development of human resources in the fisheries sector, as well as a repository for fishery research and related information;
- (c) Maximize developmental research efforts in accordance with the requirements of the national fisheries conservation and development programs; and
- (d) Establish, strengthen, and expand linkages with fishery research and development institutions.

SEC. 32. *Regional Offices.* The DA is authorized to establish, operate, and maintain a Regional Office in each of the administrative regions of the country. Each Regional Office shall be headed by a Regional Executive Director, to be assisted by not more than three (3) Regional Technical Directors assigned to supervise any of the technical areas as may be identified by the Secretary, as follows: LGU Support and Extension, Research and Development, Fisheries, and Planning, Monitoring and Regulation. There shall be an Assistant for Finance and Administration in each of the Regional Offices.

SEC. 33. *Office of the Regional Executive Director.* The Regional Executive Director (RED) shall:

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- (a) Exercise the functions of chief executive and administrative officer of the region. It shall be his duty, under the immediate executive control, direction and supervision of the Secretary of the Department of Agriculture, to exercise general authority on all matters embraced within the jurisdiction of the regional field unit or relating to the operations thereof, and to ensure the enforcement of laws and regulations pertaining to it;
 - (b) Oversee the coordination and monitoring of all plans and programs of all DA Bureaus and Attached Agencies and Corporations present in the region consistent with the implementation of the AFMA Plans and Programs;
 - (c) Preside over the Regional Management Committee which shall serve as the forum in the formulation of plans and project activities, coordination of its implementation, operational and outcome monitoring, and recommend to the Secretary the annual regional budgetary requirement;
 - (d) Employ and discharge subordinates below Division Chief levels in conformity with the provisions of the Civil Service Law and General Memorandum Orders issued by the Secretary of Agriculture;
 - (e) Translate national policies into regional agricultural concerns and programs in order to establish regional thrust and policy guidelines for planning purposes and for recommending policies or programs for the improvement of agricultural development and project management;
 - (f) Coordinate with GOs, NGOs and RAFCs that are supportive to agricultural development for the purpose of integrating program/project implementation;
 - (g) Propose and defend the regional agricultural plans and budget to the Regional Development Council and the Office of the Secretary;
 - (h) Establish efficient and effective systems in program implementation and delivery of support services;
 - (i) Establish controls for efficient and legal use of government resources;
 - (j) Generate additional resources outside of DA normal resources;
 - (k) Establish the programs and systems for staff development;
 - (l) Submit periodic reports to the Office of the Secretary regarding progress of program implementation and resources utilization; and
 - (m) Perform such other functions as may be delegated by the Secretary.

The RED has neither supervisory function nor line authority over his counterparts from the bureaus, attached agencies, and corporations in the region.

SEC. 34. *Office of the Regional Technical Director.* A Regional Technical Director (RTD) shall:

- (a) Coordinate and monitor all the programs and activities, relevant to his designated function, across all agencies of the Department at the region;
- (b) Assist the RED in reviewing and endorsing to the Office of the Regional Executive Directors the annual plans, programs, and budgets of the various DA regional units, bureaus, and attached agencies and corporations; and
- (c) Perform such other functions as may be delegated by the Regional Executive Director.

The RTDs shall have neither supervisory nor line authority over their counterparts – heads or representatives of other DA bureaus and attached agencies and corporations – in the region.

SEC. 35. *Attached Agencies and Corporations.* The following agencies and corporations are hereby attached to the Department:

- (a) Agricultural Credit Policy Council
- (b) Cotton Development Authority
- (c) Fertilizer and Pesticide Authority
- (d) Fiber Industry Development Authority
- (e) Livelihood Corporation and its subsidiaries
- (f) Livestock Development Council
- (g) National Agricultural and Fishery Council
- (h) National Dairy Authority
- (i) National Food Authority and its subsidiaries
- (j) National Irrigation Administration
- (k) National Meat Inspection Commission
- (l) National Nutrition Council
- (m) National Tobacco Administration
- (n) Philippine Carabao Center
- (o) Philippine Coconut Authority
- (p) Philippine Crop Insurance Corporation
- (q) Philippine Fisheries Development Authority
- (r) Philippine Rice Research Institute
- (s) Quedan and Rural Credit Guarantee Corporation
- (t) Strategic Investments and Development Corporation and its subsidiaries
- (u) Sugar Regulatory Administration

SEC. 36. *Organization and Operation.* The agencies and corporations attached to the DA shall continue to operate and function in accordance with their respective charters, laws or orders creating them, except as otherwise provided in this Order. Any provision of law to the contrary notwithstanding, the Secretary shall serve as Chairman of the governing boards of all attached units or agencies.

SEC. 37. *Redeployment of Personnel.* Any personnel of the DA may be re-deployed in accordance with the requirements of the revised organizational structure and staffing pattern and civil service rules and regulations. Such redeployment shall not result in diminution in rank and compensation of attached personnel.

SEC. 38. *No Dismissal.* No personnel of the DA, its offices, bureaus, and attached agencies and corporations shall be laid off or dismissed as a result of the implementation of this Executive Order. However, personnel who voluntarily opt to be separated from the service as a consequence of the implementation of this Order shall be entitled to the benefits under existing laws. In the case of those who are not covered by existing laws, they shall be entitled to separation benefits equivalent to one basic salary for every year of service or proportionate thereof in addition to the terminal fee benefits which he/she is entitled under existing laws.

SEC. 39. *Implementing Authority.* The Secretary shall issue such rules, regulations and other issuances as may be necessary to ensure the effective implementation of the provisions of this Order. In this respect, he shall implement the transfer, hiring, designation, and promotion of personnel in all the offices, bureaus, and attached agencies and corporations of the DA in accordance with the ABRP.

The Secretary shall undertake the necessary steps to effect the integration and ensure the continuity of relevant programs and functions of the DA, and the protection of the interests of the personnel affected by the implementation of the ABRP.

SEC. 40. *Exemption.* The Department is hereby exempted from the provisions of Administrative Order No. 100 (1999) regarding hiring, transfer, and promotion of personnel.

SEC. 39. *Funding.* The Department of Budget and Management shall expedite the approval of the staffing pattern of the ABRP, not later than fifteen (15) days from the issuance hereof, ensuring the availability of funds needed to implement the ABRP.

The amount necessary to implement the ABRP is hereby set aside for disbursement by the DA, subject to the usual accounting and auditing rules.

SEC. 40. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 10th day of January, the year of Our Lord, Two Thousand One.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) EDGARDO J. ANGARA

Executive Secretary

Reference: Annex "A"

Source: **Presidential Management Staff**

Office of the President of the Philippines. (2001). [*Executive Order Nos.: 1 - 338*]. Manila: Presidential Management Staff.



President Joseph Ejercito Estrada shared the limelight with former President Ramos as they rode a jeepney to inaugurate the South Expressway Skyway, a project begun during the Ramos administration and will see full completion during Estrada's term.

